

John R. Bielema

Partner, Atlanta

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Mr. Bielema is a partner in the litigation department, concentrating on securities and corporate litigation, as well as commercial litigation. He has had significant experience representing clients in the defense of securities fraud class actions, including underwriters, issuers and individual defendants. In addition to his experience with securities fraud class actions, Mr. Bielema also has extensive experience defending shareholder derivative actions, dissenter's rights proceedings, tender offer litigation, SEC investigations, bondholder litigation, director and officer liability litigation, adversary proceedings in bankruptcy court and many other forms of corporate litigation. Mr. Bielema is an experienced commercial litigator and is on the editorial board of the American Bar Association's Business and Commercial Litigation Committee. He also has experience with jury trials and with both binding arbitration and mediation. Mr. Bielema has been in Powell Goldstein's securities and corporate litigation department since his graduation from law school in 1993.

In 2007, Mr. Bielema was elected as a board member of the Litigation Section of the Atlanta Bar Association. He is the co-founder of the Securities and Corporate Litigation sub-section of the Atlanta Bar Association's Litigation Section, and serves as that organization's

Practices

- Litigation
- Securities & Regulatory Litigation
- Special Matters & Investigations

Education

- J.D., *cum laude*, University of Michigan Law School, 1993
- B.A., *summa cum laude*, Hope College, 1990

Bar & Court Admissions

- Georgia, 1993
- Georgia Court of Appeals, 1993
- Supreme Court of Georgia, 1993
- U.S. Court of Appeals for the Eleventh Circuit, 1993
- U.S. District Court for the Northern District of Georgia, 1993

Memberships

- American Bar Foundation, Fellow
- American Bar Association, Business Law Section
- American Bar Association, Class Action and Derivative Suits Subcommittee

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Co-chair. He is also the Co-chair of the American Bar Association's Corporate and Securities Litigation sub-committee of the Litigation Section's Commercial and Business Litigation Section. He is also very active in the American Bar Association's Litigation Section Securities Litigation Committee. He has served since 2005 on the Executive Committee of the Federal Bar Association's Atlanta Chapter, and also as the secretary of that organization. He frequently presents on issues relating to key securities litigation and director and officer liability issues.

Mr. Bielema has been quoted on issues relating to securities litigation and regulation in many publications including the Wall Street Journal, CNN Money, The National Law Journal, Securities Law 360, The Toronto Star, Lawyers Weekly, Bank and Lenders Liability Reporter, Andrew's Securities Litigation Reporter, Compliance Weekly, and Compliance and Regulatory Newsletter. He has written numerous articles and client alerts on issues relating to securities regulation and SEC enforcement issues. He has spoken and given presentations to Boards of Directors on important developments in securities and corporate litigation. Mr. Bielema is also active in the community, and has worked for years with The Boys and Girls Clubs of Metro Atlanta as a member at large and, more recently, as a member of the Resource Development Committee.

Representative matters:

- Representation of the issuer in In Re World Health Alternatives Securities Litigation, United States District Court for the Western District of Pennsylvania. (ongoing)

- American Bar Association, Litigation Section: Commercial and Business Litigation Committee, Editorial Board, Securities and Corporate Litigation Subcommittee, Co-chair
- American Bar Association, Securities Litigation Subcommittee
- American Bar Association, Section of Business Law, Federal Regulation of Securities Committee
- American Bar Association Director and Officer Liability Task Force, Member
- Atlanta Bar Association, Litigation Section, Board Member
- Securities & Corporate Litigation Subsection, Atlanta Bar Association Litigation Section, Co-chair and Co-founder
- Boys & Girls Clubs of Metro Atlanta, Resource Development Committee
- Federal Bar Association, Membership Chair and Member, Executive Committee
- Federal Bar Association, Atlanta Chapter, Treasurer
- Lamar Inn of Court, Master
- State Bar of Georgia, Business Law and Trial Section
- State Bar of Georgia, Young Lawyers Division
- University of Michigan Alumni Association of Atlanta, Director and Membership and Communications Chair
- **Seminars**
- Life After Enron: An Overview of Securities and Corporate Litigation and Recent Developments, Litigation Section, Atlanta Bar Association, Featured Speaker, March 9, 2007
- The Role of Outside Counsel in Internal Investigations, Georgia Certified Fraud Examiner Conference, Panelist, September 29, 2006
- Pleading and Proving Loss Causation Post Dura Pharmaceuticals, ABA Teleconference, Moderator, December 13, 2005

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- Representing of the Chairman of the Board of a major corporation, and former CEO of a Fortune 200 company in connection with a multi-billion dollar litigation pending in the United States Bankruptcy Court (ongoing).
- Representation of 3 underwriter defendants in In Re: AFC Securities Litigation, US District Court, NDGA (ongoing)
- Representation of Viacom Outdoor, Inc. in Viacom Outdoor, Inc. v Van Wagner Communications, LLC, Superior Court of Los Angeles County, State of California (ongoing)
- Representation of Coventry Health Care in shareholder securities class action Roffe v First Health et al., in the Chancery Court of Cook County, State of Illinois (ongoing)
- Representation of Reliance Trust Company and SouthTrust Bank in a \$28 million bondholders class action, obtaining denial of class certification and dismissal of case, affirmed on appeal to the Eleventh Circuit
- Representation of targets of numerous SEC and other regulatory investigations and enforcement actions
- Representation of Lodgian Hotels, Inc. in an action asserting claims under Section 10(B) and Rule 10b-5 of the Securities Exchange Act of 1934
- Representation of Metromedia, Inc. and Metromedia directors in securities class action litigation, bankruptcy adversary proceedings and bankruptcy subordination proceedings
- Representation of underwriter defendants in In Re: Longhorn Securities Litigation
- Representation of Level 8 Systems, Inc. in an appraisal proceeding in Delaware Chancery Court
- Representation of a major financial institution in internal investigation in response to two shareholder derivative demands

- Current Hot Topics in Securities Litigation, Federal Bar Association, Moderator October 27, 2005

Awards & Honors

- Georgia Rising Star (2005, 2007)

Publications

"Recent Corporate Litigation Regarding Private Equity Transactions," Georgia Corporate and Business Organization Litigation Seminar, November 16, 2007; co-authored by Daniel Ashburn and Jason Curles

"Supreme Court to Hear Significant Case on "Secondary Liability" For Securities Fraud," The Business Suit, The Defense Research Institute, June 2007

"Behind The Court's Decision in Merrill Lynch vs. Dabit," Securities Law 360, March 30, 2006

"Securities 'Holder' Class Actions: The Supreme Court Takes a Close Look In 2006," BNA Securities Regulation and Law Reporter, Volume 38 Number 8, Page 293, February 20, 2006

"Class Action Lawsuits Over Class Action Settlement Funds: Are Your Clients at Risk?," ABA Journal of Commercial and Business Litigation, Vol. 7, No. 1, Fall 2005; co-authored by Daniel Ashburn

"Ethical Implications of Electronic Metadata in Documents," ABA Journal of Commercial and Business Litigation, Vol. 7, No. 1, Fall 2005

"The Dangers of Electronic Discovery: Lessons from Morgan Stanley," The Corporate Counselor, July, 2005

Client Alert: "The Loss Causation Element of Securities Fraud and the Supreme Court's Dura

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- Representation of the issuer and directors of IQ Software Corporation in IQ Software Securities Litigation, US District Court, NDGA

Pharmaceuticals opinion," April 20, 2005

Client Alert: "Supreme Court Declines to Hear Appeal of Decision that Significantly Weakens the Safe Harbor Protection of the Private Securities Litigation Reform Act of 1995," April 8, 2005

"Recent Decisions Find State Holding Claims Viable," NATIONAL LAW JOURNAL, March 14, 2005

Client Alert: "New Lawsuits Against Mutual Funds Highlight Fiduciary Duties of Institutional Investors," February, 2005

Client Alert: "Supreme Court of Georgia Establishes A Standard for "Willful" Conduct Under the Georgia Securities Act," February, 2005

"State Law Securities "Holding" Claims and SLUSA Preemption," ABA SECURITIES LITIGATION JOURNAL, Volume 15, No. 1, Fall 2004

"Recent Developments in Securities "Holding Claim" Cases," presented at 8th Annual ICLE Corporate Litigation Seminar, November 19, 2004

Client Alert: "Attorney Client Privilege May Be Lost Through Communications With Accountants," March, 2003

Client Alert: "SEC Brings First Regulation FD Enforcement Actions", January 2003

Client Alert: "Regulation FD and Selective Disclosure Issues," October 2000

Client Alert: "A Summary of the Securities Litigation Uniform Standards Act of 1998"

White Paper: "A Summary of the Securities Litigation Reform Act of 1995"

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"Coverage For Commercial Torts Under Advertising
Injury and Personal Injury Liability Provisions of CGL
Policies," GEORGIA DEFENSE LAWYERS
JOURNAL