

## Influential Women In Securities Law: Stacey Slaughter

By **Martin O'Sullivan**

*Law360, New York (July 8, 2016, 8:13 PM ET)* -- With a knack for the complexities of financial markets, Stacey Slaughter of Robins Kaplan LLP has helped secure several high-profile victories for clients, such as the \$590 million antitrust class action settlement with some of the largest private equity firms, securing her a spot among Law360's Influential Women in Securities Law.

Even though she didn't discover her calling for securities law right away, Slaughter has dipped her toes in a wide range of financial markets issues, representing big clients in cases that have been anything but simple.

One such complicated case was the highly publicized antitrust class action against private equity giants — including Goldman Sachs Group Inc., Carlyle Group LP and Blackstone Group LP. In this case, Slaughter represented shareholders in formerly public companies, which alleged that the private equity firms had conspired to keep down the prices for leveraged buyouts of those companies.

“Every step of the way, it was a battle,” Slaughter recalled.

Slaughter faced more than a dozen motions to dismiss in that case, based in part on the heightened antitrust pleading standards under the U.S. Supreme Court’s *Bell Atlantic v. Twombly* decision and the exemption of securities markets from antitrust laws under the *Credit Suisse Securities (USA) LLC v. Billings* decision.

She recalled successfully fighting those dismissal bids; for those under *Billings*, she argued that leveraged buyouts are largely unchecked by securities law.

“When you file a securities filing, and you’re telling shareholders about your company, that’s all public, but in this case, these were go-private deals,” Slaughter said. “So our argument was that the securities laws did not preempt an antitrust case in this instance.”

The case, filed in late 2007, provided some unique experiences for Slaughter. For example, in addition to two separate rounds of summary judgment briefings, the case saw a summary judgment hearing last two and a half days, according to Slaughter.

“It just doesn’t happen like that,” she said, chuckling.

Additionally, the seven-year class action had three rounds of discovery. Slaughter explained that the

judge had initially allowed her team discovery on a handful of leveraged buyouts occurring between 2003 and 2007, but twice her team was able to show the judge the potential implication of other deals using information from the allowed discovery.

The case was highly publicized. Slaughter recalled bumping into Michael Tannenbaum, founding partner of Tannenbaum Helpen Syracuse & Hirschtritt LLP, at a conference in New York.

“He said, ‘Private equity — that’s your case? I counsel my private equity clients on what’s going on in that case,’” she recalled. “It was great to hear he was counseling clients based on what was going on in a litigation case that I was working on.”

Slaughter has repeatedly been at the forefront of high-profile litigation dealing with complex financial markets issues, but she didn’t immediately get her start in that field.

Prior to joining Robins Kaplan, Slaughter, who splits her time between New York City and Minneapolis, was a law clerk for U.S. District Judges Michael J. Davis and Paul A. Magnuson between 1999 and 2002 after she earned her law degree from the University of Minnesota Law School. She also holds a master’s degree from the University of Minnesota and a bachelor of arts from Florida State University.

Before making partner in 2008, Slaughter started at Robins Kaplan in 2002, where she first tried insurance, personal injury, patent cases and more. But after the 2005 kickoff of litigation accusing Visa Inc. and MasterCard Inc. of colluding on interchange fees, she found her calling.

“I took on all different types of cases in various industries, but once I started on the Interchange case, from that point on, my focus was very much in financial markets.” Slaughter said. “It’s complicated stuff. I like figuring it out and then making it easy to understand.”

The interchange multidistrict litigation certainly qualified as complicated: the case reached a \$7.25 billion settlement in 2012, which was recently vacated by the Second Circuit.

“Nothing about the case was simple,” Slaughter said.

Slaughter tackled another complex financial issue — mortgage-backed securities — when she represented the Federal Home Loan Bank of Pittsburgh in its suit against issuers JPMorgan Chase & Co. and Countrywide Financial Corp., as well as rating agencies Standard & Poor’s, Moody’s and Fitch Group.

That suit, which dates back to 2009, arose after FHLBP bought AAA-rated securities that were subsequently downgraded to CCC and DDD ratings. Slaughter scored a major victory in the case when she convinced a Pennsylvania state judge to force S&P to hand over documents it had supplied in a parallel U.S. Department of Justice investigation.

“That was what really helped break open the case,” Slaughter said. “There haven’t been a lot of cases that have been successful against the rating agencies, but we mounted a very good case against S&P.”

Sidley Austin LLP partner Dorothy Spenner, who served as opposing counsel, praised Slaughter’s work on the case, which eventually settled out of court.

“She spotted the issues. She was consistently smart, strong and aggressive,” Spenner said. “I could tell that her client really respected her advice and developed a good relationship with her.”

Slaughter's experience also includes her work representing Principal Financial Group, a direct action plaintiff in the sprawling multidistrict litigation alleging that the world's top banks rigged the London Interbank Offered Rate, a key benchmark interest rate. The case is still ongoing as the Second Circuit in May overruled an earlier dismissal.

Zelle LLP partner Jim Martin, who represented another direct action plaintiff in the Libor litigation, said Slaughter was "a really strong, smart likeable ally," in part due to her role in the case as the prime source of knowledge about complex financial instruments.

Outside of her work in the courtroom, she holds several community service positions, including a seat on the parity committee for nonprofit organization Minnesota Women Lawyers Inc. Slaughter said during her work with the MWL parity committee, she has faced unique challenges, for example, when it found out that the state did not collect numbers on how many female attorneys practiced in Minnesota.

Whether in or out of the courtroom, Slaughter is a great lawyer all around, according to Martin.

"This is a person that will take the time to learn your business, who will think creatively, who you will be happy to deal with on a day-to-day basis and will give you confidence that the job is getting done right," Martin said of Slaughter.

--Editing by Christine Chun and Kelly Duncan.

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