EXHIBIT E

TO DECLARATION OF MICHAEL G. RHODES IN SUPPORT OF JOINT MOTION FOR PRELIMINARY APPROVAL OF REVISED SETTLEMENT

T: 415-982-5267
F: 415-982-5287

Recognized as a Top California Neutral, Daily Journal, 2003-2004, 2006-2011

Recognized as a Northern California Super Lawyer, ADR Category, San Francisco Magazine, 2009-2012

Recognized as the Best Neutral in the Bay Area (2007-2008) and as one of top Best Neutrals in the Bay Area (2009-2012), through an open survey of attorneys, The Recorder

Case Manager

Sandra Chan
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Hon. Edward A. Infante (Ret.)

Hon. Edward A. Infante (Ret.) is known for his ability to mediate complex cases involving a wide range of issues. A former Chief Magistrate Judge of the U.S. District Court, Northern District of California, Judge Infante has more than 30 years of dispute resolution experience. He has particular expertise in complex business litigation, securities class actions, securities, employment, intellectual property, and antitrust cases.

ADR Experience and Qualifications

- Conducted over 3,000 settlement conferences in all types of civil litigation including securities fraud and shareholder class actions, intellectual property disputes, and employment cases
- Resolved thousands of pretrial matters including discovery, pleading, and summary judgment motions, and presided over numerous jury trials
- Served as Special Master in several complex federal cases; Authored Chapter 53, entitled "Masters," in *Moore's Federal Practice* (copyright 1997) -- the chapter discusses the appointment and procedures of Special Masters

Representative Matters

- *In re McKesson HBOC, Inc. Securities Litigation,* settled for $960 million, one of the largest securities fraud class settlements ever reported
- *Nikon v. ASML*, international patent dispute involving multiple patents resulting in complex cross-licensing agreements
- *In re Methionine Antitrust Litigation*, multi-district litigation alleging international price fixing conspiracy brought by livestock producers and feed companies, settled for $107 million
- *Sun Microsystems v. Microsoft Corp.,* copyright and licensing dispute involving the JAVA programming language
- *Applied Materials Inc. v. Advanced Semiconductor Materials*, a multi-million dollar patent infringement dispute between competitors
- *e-Bay v. Reverse Auction.com*, trade secret/unfair business competition case between competitors
- **Securities Class Actions:** involving over 100 NASDAQ and NYSE companies
- **Consumer Class Actions:** mediated a national consumer class action allegedly involving abusive and fraudulent lending practices against a major lending institution
- **Employment:** mediated race, gender, and age discrimination suits; mediated sexual harassment, wrongful discharge, and other employment related breach of contract disputes; mediated numerous class actions including wage and hour claims
- **Insurance:** mediated coverage disputes involving multi parties and bad faith allegations
- **Business/Commercial:** mediated all types of business suits involving breach of contract, accounting, valuation, and breach of warranty claims

Honors, Memberships, and Professional Activities

- Recognized as a Top California Neutral, *Daily Journal*, 2003-2004, 2006-2011
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- Member, Federal Magistrate Judges Association, 1973-present; (President, 1981, 1982; Vice President, 1979-1980); Moderator and panelist in various federal practice seminars including the Federal Practice Institute, 1983-1993

- Adjunct professor at Santa Clara University Law School: lectured in evidence, judicial administration, and alternative dispute resolution, 1990-2002

Background and Education

- Chief Magistrate Judge, U.S. District Court, Northern District of California, 1990-2001
- United States Trustee, U.S. Dept. of Justice, Region XV Southern District of California, District of Hawaii, Territory of Guam, and Commonwealth of the Northern Marianas Islands, 1988-1990
- Partner, Schall, Boudreau & Gore, San Diego, CA, 1986-1988
- U.S. Magistrate Judge, U.S. District Court, Southern District of California, 1972-1986
- Partner, Pedersen, Flowers & Infante, San Diego, CA, 1970-1972
- J.D., Boston University School of Law, 1965
- A.B., Boston College, 1962

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Hon. Edward A. Infante (Ret.)
Class Action/Mass Tort

A former Chief Magistrate Judge of the United States District Court, Judge Infante has settled numerous class actions and presided over F.R.C.P. Rule 23(e) judicial settlement approval hearings. He is widely respected for his knowledge of the law, objectivity, and unflagging efforts to resolve disputes.

Representative Matters

- **Business**
  - *In re Methionine Antitrust Litigation*, multi-district litigation alleging international price fixing conspiracy brought by livestock producers and feed companies, settled for $107 million
- **Consumer**
  Mediated multiple cases involving various issues, including:
  - Credit card customers
  - Insurance purchasers
  - Mortgage lending practices
  - Privacy
  - Products Liability
  - Unfair business practices, including Cal. B&P Code §17200 claims
  - Warranties
- **Employment**
  - A case alleging discrimination and violation of the ADA against a large corporation
  - Class action alleging gender discrimination against a major public educational institution
  - Settled multiple disputes alleging racial discrimination and working with the employer and EEOC to design the consent decrees
  - Settled numerous cases involving wage and hour claims
- **Securities**
  Judge Infante has settled innumerable shareholder's rights actions involving more than 100 NYSE and NASDAQ companies, including:
  - *In re McKesson, HBOC, Inc. Securities Litigation*, settled for $960 million, one of the largest securities fraud class settlements ever reported

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