

John A. Jordak, Jr.

Partner

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John Jordak concentrates his practice on securities and complex commercial litigation, with a particular emphasis on class action defense. John focuses on defending shareholder actions and D&O claims, including those filed under the federal securities laws and those brought in the wake of an M&A announcement.

John's national practice includes civil matters in federal and state courts throughout the country. He also regularly represents clients in investigations by the Securities and Exchange Commission and other regulators. John counsels companies on securities disclosure and corporate governance, and he has served as counsel to special litigation committees formed in response to shareholder derivative demands.

John has been recognized as Band 1 in Georgia for Securities Litigation by *Chambers USA: America's Leading Lawyers for Business* and he has been included among *The Best Lawyers in America*® since 2013. John served as chair of the Alston & Bird Securities Litigation Group from 2004 to 2013. He is a member of the board of trustees of The Paideia School in Atlanta, a member of the Emory University Alumni Board, a member of the UCLA Parents' Council Emeriti, volunteers with the Peachtree Road Race Planning Committee, and previously served on the Emory Law Alumni Board (president, 2017–2019).

Representative Experience

- Represented HF Foods Group along with certain of its current and former directors and officers as lead counsel in a shareholder securities class action in California federal court where our motion to dismiss was granted and the action was dismissed with prejudice. *Mendoza v. HF Foods Group, et al.*, No. 2:20-CV-02929-ODW (JPRx), 2021 U.S. LEXIS 160982 (C.D. Cal. Aug. 25, 2021). Also represented HF Foods Group and certain of its current and former directors and officers in related derivative actions in California federal court that were voluntarily dismissed following dismissal of the class action.
- Represented Avanos Medical (formerly known as Halyard Health) and two of its former officers as lead counsel in a shareholder securities class action in New York federal court where our motion to dismiss was granted. *Jackson v. Halyard Health Inc., et al.*, No. 16-CV-05093-LTS, 2018 U.S. Dist. LEXIS 54738 (S.D.N.Y. March 30, 2018). The court subsequently denied the plaintiff's post-judgment motions, which was affirmed by the Second Circuit. *Jackson v. Avanos Med., Inc., et al.*, No. 16-CV-05093-LTS, 2019 U.S. Dist. LEXIS 55969 (S.D.N.Y. March 31, 2019), *aff'd*, 960 F.3d 94 (2d Cir. 2020). Also represented Avanos Medical in related derivative actions in New York, Delaware, and California federal courts that were voluntarily dismissed in the wake of the Second Circuit opinion in the class action.
- Represented the executives of Oceans Healthcare as lead counsel in New York federal court where our motion to dismiss was granted. *Clark Marcus v. Stuart Archer, et al.*, Case No. 1:19-CV-7099-JO, 2020 U.S. Dist. LEXIS 152998 (S.D.N.Y. Aug. 24, 2020).

- Represented Keryx Biopharmaceuticals as lead counsel in a shareholder securities class action in New York federal court where our motion to dismiss was granted. *In re Keryx Biopharmaceuticals Inc. Securities Litig.*, Civil Action Nos. 13 Civ. 755 (KBF) and 13 Civ. 1307 (KBF), 2014 U.S. Dist. LEXIS 19138 (S.D.N.Y. Feb. 14, 2014).
- Representing 3D Systems and several current and former officers as lead counsel in a consolidated shareholder securities class action in New York federal court. Also representing 3D Systems, its board, and certain current and former officers in related shareholder derivative actions in New York federal court and the South Carolina Court of Common Pleas (York County).
- Representing Astec Industries along with certain of its former officers as lead counsel in a shareholder securities class action in Tennessee federal court.
- Representing Celsius Holdings along with certain of its officers as lead counsel in a shareholder securities class action in Florida federal court.
- Representing SCANA Corp. former CEO and CFO Jimmy Addison as lead counsel in a series of related shareholder class and derivative actions pending in South Carolina federal and state courts.
- Represented Synchronoss Technologies former CFO as lead counsel in a shareholder securities class action in New Jersey federal court.
- Represented Coca-Cola Enterprises and its board of directors in a series of shareholder class actions in Delaware Chancery Court related to the formation of Coca-Cola European Partners. The \$27 billion deal closed as scheduled.
- Represented First Cash Financial Systems as lead counsel in an action in Texas state court related to its merger with Cash America International. The plaintiff voluntarily dismissed the action, and the \$994 million deal closed as scheduled.
- Represented The First Bancshares Inc. and its board of directors as lead counsel in a shareholder securities class action in Mississippi federal court. The plaintiff voluntarily dismissed the action, and the deal closed as scheduled.
- Represented the board of directors of Advaxis as lead counsel in shareholder derivative litigation filed in New Jersey federal court related to stock options. A related case filed in Delaware Chancery Court was dismissed.
- Represented LHC Group in a two-year investigation by the SEC that resulted in no action taken by the commission. Also represented LHC as lead counsel in a shareholder securities class action and related derivative actions in Louisiana federal court related to various disclosure issues.
- Led the representation of Ebix in a shareholder securities class action in Georgia federal court and related derivative actions in Georgia federal and state courts.
- Represented Sonoco Products in a shareholder securities class action in South Carolina federal court.
- Represented PricewaterhouseCoopers in a shareholder derivative case challenging PricewaterhouseCoopers's consulting client in a say-on-pay shareholder vote in the Superior Court of Fulton County, Georgia, where the court granted our motion to dismiss and the plaintiff voluntarily dismissed its appeal.
- Represented CheckFree Corporation in a shareholder securities class action where our motion to dismiss was granted. *Skubella v. CheckFree Corp.*, No. 1:07-CV-796-TWT, 2008 U.S. Dist. LEXIS 34518 (N.D. Ga. Apr. 25, 2008).

- Represented Coca-Cola Enterprises in a series of shareholder securities class actions in Georgia federal court and a related derivative action in Delaware Chancery Court where our motions to dismiss were granted and affirmed on appeal. *In re Coca-Cola Ent. Inc. Sec. Litig.*, 510 F. Supp. 2d 1187 (N.D. Ga. 2007); *In re Coca-Cola Ent. Inc. Sec. Litig.*, Civil Action No. 1:06-CV-0275-TWT, 2007 U.S. Dist. LEXIS 74227 (N.D. Ga. Oct 3, 2007); *In re Coca-Cola Ent. Inc. Deriv. Litig.*, 478 F. Supp. 2d 1369 (N.D. Ga. 2007), *aff'd*, 2008 U.S. App. LEXIS 5677, 269 Fed. Appx. 888 (11th Cir. Mar. 13, 2008); *In re Coca-Cola Ent. Inc. Shareholders Litig.*, C.A. No. 1927-CC, 2007 Del. Ch. LEXIS 147 (Del. Ch. Oct. 17, 2007), *aff'd*, No. 601, 2007, 2008 Del. LEXIS 274, 954 A.2d 910 (Del. June 20, 2008).
- Represented Avado Brands as a member of the Alston & Bird team that secured the Eleventh Circuit's pro-defense ruling in a case of first impression under the Private Securities Litigation Reform Act of 1995 in *Bryant v. Avado Brands Inc.*, 187 F.3d 1271 (11th Cir. 1999).
- Conducted an internal investigation of a human tissue company's practices concerning the handling and sterilization of human tissue.
- Represented an insurance company and its officers before the SEC in connection with an investigation related to the trades of the company's CEO.

Publications & Presentations

Publications

- "China's Regulatory Crackdown Is Increasing Securities Litigation Risk," *Bloomberg Law*, April 1, 2022.
- "Boardroom Considerations Ahead of Expected M&A Surge," *Law360*, December 14, 2021.

Education

- Emory University (J.D., 1993)
- Duke University (A.B., 1990)

Admitted to Practice

- Georgia
- New York

Related Services

Securities Litigation | Class Action & Multidistrict Litigation | Retail | Special Purpose Acquisition Companies (SPACs)