

Max W. Berger

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Max Berger, BLB&G's founding partner, is one of the most accomplished and respected plaintiffs' lawyers worldwide. Widely recognized as the "dean" of the U.S. plaintiff securities bar, he has litigated many of the most significant shareholder cases in history, increasing market transparency, holding wrongdoers accountable, and improving corporate business practices in groundbreaking ways. His crowning achievement is growing BLB&G from a partnership of four lawyers in 1983 into what the *Financial Times* described as "[one of the most powerful securities class action law firms in the United States.](#)"

Described by sources quoted in *Chambers USA* as "the smartest, most strategic plaintiffs' lawyer [they have] ever encountered," Max has negotiated nine of the largest securities fraud settlements in history, each in excess of a billion dollars: *Cendant* (\$3.3 billion), *Citigroup-WorldCom* (\$2.575 billion), *Bank of America/Merrill Lynch* (\$2.4 billion), *JPMorgan Chase-WorldCom* (\$2 billion), *Allianz Structured Alpha Funds* (over \$2 billion), *Nortel* (\$1.07 billion), *Merck* (\$1.06 billion), *McKesson* (\$1.05 billion), and *Wells Fargo* (\$1 billion).

Max's cases have resulted in sweeping corporate governance overhauls that have served as models for public companies going forward. These include the creation of an independent task force to oversee and monitor diversity practices (*Texaco* discrimination litigation), establishing an industry-accepted definition of director independence, increasing a board's power and responsibility to oversee internal controls and financial reporting (*Columbia/HCA*), and creating a Healthcare Law Regulatory Committee with dedicated funding to improve the standard for regulatory compliance oversight by a public company board of directors (*Pfizer*).

Most recently, Max handled the prosecution of an unprecedented shareholder derivative litigation against 21st Century Fox arising from the systemic sexual and workplace harassment at the embattled network. After nearly 18 months of litigation, discovery, and negotiation, the parties unveiled a landmark settlement with two key components: 1) the first ever board-level watchdog of its kind—the "Fox News Workplace Professionalism and Inclusion Council" and 2) one of the largest financial recoveries—\$90 million—ever obtained in a pure corporate board oversight dispute.

Max's work has garnered him extensive media attention, and he has been the subject of feature articles in a variety of major media publications. For example, *The New York Times* highlighted his remarkable track record in the October 2012 profile "[Investors' Billion-Dollar Fraud Fighter](#)," which also discussed his role in the *Bank of America/Merrill Lynch Merger* litigation. In 2011, Max was twice profiled by *The American Lawyer* for his role in negotiating a \$627 million recovery for investors in the securities class action against Wachovia and a \$516 million recovery in the securities class action against Lehman Brothers.

Max has a distinguished and unparalleled list of honors to his name. Most recently, he was honored with a “Lifetime Achievement” award by the *New York Law Journal* for making an impact on the legal community and the practice of law over an entire career. The following is only a selection of the awards and accolades Max has received throughout his career:

- The Anti-Defamation League’s Edward Brodsky Founders Award: In recognition of Max’s extraordinary dedication and service to the mission of the ADL as it continues the fight against antisemitism and other forms of hatred, and for his unwavering commitment to championing civil rights and social justice.
- *The National Law Journal*’s “100 Most Influential Lawyers in America”: For being “front and center” in holding Wall Street banks accountable and obtaining over \$5 billion in cases arising from the subprime meltdown, and for his work as a “master negotiator” in obtaining numerous multibillion-dollar recoveries for investors.
- *Chambers USA*’s Award for Outstanding Contribution to the Legal Profession: For serving as a “standard-bearer” for the profession in a career spanning nearly 50 years. In presenting this prestigious honor, *Chambers* recognized Max’s “numerous headline-grabbing successes” and his unique stature among colleagues—“warmly lauded by his peers, who are nevertheless loath to find him on the other side of the table.” Max has been recognized as a litigation “star” and leading lawyer in his field by *Chambers* since its inception.
- *Benchmark Litigation* “Hall of Fame”: In recognition of his career achievements and impact on the field of securities litigation. *Benchmark Litigation* has also named Max a “Litigation Star” multiple times over.
- *Lawdragon* “Hall of Fame”: For his remarkable contributions to the legal professions. Max is also on *Lawdragon*’s “Legends” list and is regularly included in the publication’s “500 Leading Lawyers in America” and “100 Securities Litigators You Need to Know” lists.
- *The Legal 500* “Hall of Fame”: For standing at the pinnacle of the profession and receiving constant praise from clients for his continued excellence. The Legal 500 has regularly recognized Max as a “leading lawyer.”
- *Law360*: Max was profiled in a special feature discussing his life and career as a “Titan of the Plaintiffs Bar.” He was also named one of only six litigators selected nationally as a “Legal MVP” and was named one of “10 Legal Superstars” nationally for his securities litigation work.

Max is a regular lecturer and author on securities laws and their implications for public policy. He was chosen, along with several BLB&G partners, to author the first chapter—“Plaintiffs’ Perspective”—of Lexis/Nexis’s seminal industry guide *Litigating Securities Class Actions*. An esteemed voice on all sides of the legal and financial markets, Max was called upon by the U.S. Securities and Exchange Commission and U.S. Treasury to provide guidance on regulatory changes being considered as the accounting profession was experiencing tectonic shifts shortly before the 2008 financial crisis.

Max also serves the academic community in numerous capacities. A longtime member of the Board of Trustees of Baruch College, he served as the President of the Baruch College Fund from 2015-2019. In May 2006, he was presented with the Distinguished Alumnus Award for his contributions to Baruch College, and in 2019, he was awarded an honorary Doctor of Laws degree at Baruch’s commencement. The award recognized his decades-long dedication to the mission and vision of the College. In bestowing it, Baruch’s president described Max as “one of the

most influential individuals in the history of Baruch College." Max established the Max Berger Pre-Law Program at Baruch College in 2007.

Max is also a member of Columbia Law School's Dean's Council and Public Interest/Public Service Council, serves on the Advisory Board of Columbia Law School's Center on Corporate Governance, and has taught "Profession of Law," a legal ethics course at the school. In February 2011, Max received Columbia Law School's most prestigious honor, "The Medal for Excellence." As a recipient of this award, Max was profiled in the Fall 2011 issue of *Columbia Law School Magazine*. In 2021, Max endowed the Max Berger '71 Public Interest/Public Service Fellows Program at Columbia Law School, which provides support for law students interested in pursuing careers in public service. Max and his wife, Dale, previously endowed the Dale and Max Berger Public Interest Law Fellowship at Columbia Law School and, under Max's leadership, BLB&G also created the Bernstein Litowitz Berger & Grossmann Public Interest Law Fellowship at Columbia. Most recently, Max endowed the Max Berger Pathways Fellowships at Columbia Law School. The fellowships cover the first-year salaries of new graduates of Columbia Law School who are employed in public interest or public service jobs.

Among numerous charitable and volunteer works, Max is a significant and longtime contributor to Her Justice, a non-profit organization in New York City dedicated to providing *pro bono* legal representation to indigent women, principally survivors of intimate partner violence, in connection with the many legal problems they face. In recognition of their support of the organization, Max and his wife, Dale, were awarded the "Above and Beyond Commitment to Justice Award" in 2021 for being steadfast advocates for women living in poverty in New York City. In addition to his personal support of Her Justice, Max has ensured BLB&G's longtime involvement with the organization. Max is also an active supporter of City Year New York, a division of AmeriCorps, dedicated to encouraging young people to devote time to public service. In July 2005, he was named City Year New York's "Idealist of the Year," for his commitment to, service for, and work in the community.

A celebrated photographer, Max has held two successful photography shows that raised hundreds of thousands of dollars for City Year and Her Justice. In 2013, *Lawdragon* produced a short documentary about Max's photography, which can be viewed below.

Education

- Baruch College - City University of New York, 2019, Doctor of Laws (HON.)
- Columbia Law School, 1971, J.D., Editor of the *Columbia Survey of Human Rights Law*
- Baruch College - City University of New York, 1968, B.B.A., Accounting

Admissions

- New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Sixth Circuit

- Supreme Court of the United States

News

- January 20, 2025 - A Landmark Case for Civil Rights: BLB&G's Pursuit of Justice in *Roberts v. Texaco*
- September 8, 2023 - BLB&G Receives Approval of a Landmark \$1 Billion Settlement for Shareholders in Wells Fargo Securities Class Action
- July 18, 2023 - Columbia Law School Praises Success of the Max Berger '71 Public Interest/Public Service Fellows Program
- May 16, 2023 - BLB&G Secures a Historic \$1 Billion Settlement for Shareholders in Wells Fargo Securities Class Action
- December 1, 2021 - BLB&G Founding Partner Max Berger Ensures Sustainable Support for Students Pursuing Careers in Public Interest & Public Service with \$3.3 Million Commitment to Columbia Law School Through the Dale and Max Berger Family Foundation
- December 1, 2021 - The *New York Law Journal* Highlights Max Berger's Endowment of Columbia Law School's Public Interest/Public Service Fellows Program
- September 2019 - *Lawdragon* Profiles Groundbreaking Workplace Protections Achieved by BLB&G in its Fox Derivative Litigation
- June 2019 - BLB&G's Max Berger Joins the Columbia Law School Public Interest/Public Service Council
- June 3, 2019 - Max Berger Receives Honorary Degree At Baruch College 2019 Commencement
- May 30, 2018 - Max Berger Delivers CUNY's Baruch College Commencement Address
- June 15, 2014 - *The Recorder* Profiles BLB&G and Founding Partner Max Berger in Survey of Securities Litigation Landscape
- April 2013 - *The American Lawyer's* "Big Suits" Features Coverage of \$688 Million Recovery in Merck and Schering-Plough Litigation
- October 10, 2012 - *The New York Times* Profiles Max Berger and BLB&G - "Investors' Billion-Dollar Fraud Fighter"
- Fall 2011 - *Columbia Law School Magazine* Profiles Max Berger
- January 26, 2011 - Max Berger Discusses Securities Litigation Trends with *The D&O Diary*
- January 2011 - BLB&G Publishes "Plaintiffs' Perspective" in LexisNexis' *Litigating Securities Class Actions*
- November 13, 2007 - *Bloomberg* Profiles Sean Coffey as One of Top Plaintiffs' Lawyers in the Securities Bar
- July 7, 2006 - Max Berger and Sean Coffey Featured in *The New York Times* Coverage of Securities Class Action Landscape - "There is No Shortage of Fraud"
- May 22, 2006 - *Financial Times* Profiles BLB&G as "Biggest Star" in the Securities Bar; Cover Story Details BLB&G's Prosecution of Stock Options Backdating Cases

- November 2005 - Max Berger and Sean Coffey are Subject of Cover Story in *The American Lawyer* and *Corporate Counsel Magazine's* "Litigation 2005"

Publications

- June 14, 2024 - BLB&G Attorneys Co-Author "Plaintiffs' Perspective" Chapter in the *Litigating Securities Class Actions* Treatise
- September 30, 2021 - BLB&G Attorneys Publish "Plaintiffs' Perspective" Chapter in LexisNexis's *Litigating Securities Class Actions* Treatise
- June 1, 2018 - BLB&G Partners Co-Author PLI's *Financial Services Mediation Answer Book*
- January 2011 - BLB&G Publishes "Plaintiffs' Perspective" in LexisNexis' *Litigating Securities Class Actions*
- March 12, 2007 - "An Open Letter in Response to Recent Attempts to Curtail the Rights of Shareholders to Pursue Private Causes of Action Under the Securities Laws" by Max W. Berger
- December 8, 2006 - Analysis of Interim Report of Committee on Capital Markets Regulation by Max W. Berger
- October 2005 - "WorldCom: How A Ground-Breaking Litigation Altered The Legal Landscape For Large Securities Class Actions And Forced Wall Street To Forever Change Its Ways" by Max W. Berger
- January 2003 - "Your Portfolio Has Been Hurt By A Securities Fraud...Now What?" by Max Berger and Tony Gelderman
- May 2002 - "The Role Of The Institutional Investor In Securities Cases: Making A Difference By Increasing Class Recovery" by Max Berger & Tony Gelderman (*The NAPPA Report*, May 2002)
- August 2000 - "Institutional Investors As Lead Plaintiffs: Is There A New And Changing Landscape?" by Max W. Berger and Gerald Silk
- June 2000 - "Court Grants The New York State Common Retirement Fund's Request For Relief And Enjoins Misleading Solicitation Of Class Members" by Max W. Berger
- January 2000 - "Mass Solicitations Dupe Institutional Investors" by Max W. Berger

Awards

- April 18, 2025 - Eight Partners Named to *Lawdragon* 2025 "500 Global Plaintiff Lawyers" List
- October 24, 2024 - BLB&G Partners and Associates Recognized as Leading Attorneys by *Super Lawyers*
- October 3, 2024 - BLB&G Named Top Plaintiffs Firm and Several Partners Honored in *Benchmark Litigation's* 2025 Guide
- September 16, 2024 - Eleven Partners Named to *Lawdragon's* "500 Leading Litigators in America" List
- August 16, 2024 - Three BLB&G Partners Named to 31st Edition of *The Best Lawyers in America*®
- June 17, 2024 - BLB&G Achieves Tier 1 Status in *Legal 500 USA* Practice Area Rankings

- June 10, 2024 - BLB&G Again Achieves Top Rankings for Securities Litigation and Delaware Chancery in Chambers USA 2024
- May 24, 2024 - All 24 BLB&G Partners Named to *Lawdragon's* "500 Leading Plaintiff Financial Lawyers" List
- April 8, 2024 - Seven BLB&G Partners Named to 2024 *Lawdragon* "500 Global Plaintiff Lawyers" List
- October 24, 2023 - *Benchmark Litigation* Names BLB&G One of the Top Firms in the Nation in 2024 Guide
- August 17, 2023 - Three BLB&G Partners Named to 30th Edition of *The Best Lawyers in America*®
- June 1, 2023 - *Chambers* Again Ranks BLB&G Top Securities Litigation Firm with Band 1 Rankings in All Categories
- May 26, 2023 - *Lawdragon* Names BLB&G Partners to the 2023 Edition of the "500 Leading Plaintiff Financial Lawyers" List
- May 19, 2023 - BLB&G Named ALM's "Litigator of the Week"
- October 13, 2022 - *New York Law Journal* Profiles Max Berger as Part of Series Honoring 2022 Lifetime Achievement Winners
- October 3, 2022 - *Benchmark Litigation* Names BLB&G One of the Top Firms in the Nation in 2023 Guide
- September 21, 2022 - The *New York Law Journal* Recognizes Founding Partner Max Berger With Its Lifetime Achievement Award
- July 11, 2022 - *Lawdragon* Names BLB&G Partners to the 2022 Edition of the "500 Leading Plaintiff Financial Lawyers" List
- June 9, 2022 - The *Legal 500* Again Ranks BLB&G a National Tier 1 Firm for Securities Litigation and M&A Litigation
- June 1, 2022 - *Chambers* Again Ranks BLB&G Top Securities Litigation Firm

Events

- May 6, 2015 - Max Berger Among Featured Artists at Her Justice's 2015 Annual Photography Auction & Benefit
- November 12, 2013 - Max Berger Participates in the Second Annual Securities Litigation & Enforcement Institute
- November 6-8, 2013 - Max Berger Discusses Private Securities Litigation at the Practising Law Institute
- April 15-28, 2013 - Max Berger Photography Exhibit – Places – April 2013 at 25CPW Gallery in New York City
- February 06, 2013 - Max Berger a Featured Speaker at the PLUS 2013 D&O Symposium
- December 11, 2012 - Max Berger Discusses Developments and Trends in Securities Litigation at the New York City Bar
- November 14, 2012 - Max Berger Discusses Securities Litigation at the New York City Bar Association
- January 26, 2012 - Max Berger Discusses Securities Class Action and Shareholder Suits Developments

- September 21, 2010 - Max Berger Discusses the Frontier of Securities Litigation at PLI Program
- July 22, 2010 - Max Berger Discusses Class Action Litigation Practices at PLI Program
- November 11-13, 2009 - Max Berger Discusses Corporate Governance and Executive Compensation at 2009 PLUS International Conference
- October 16, 2009 - Max Berger Discusses Reformation of Financial Markets at Columbia Law School's Global Justice Forum
- January 24, 2008 - Max Berger Participates in DRI's Corporate Counsel Roundtable Event
- September 25, 2007 - Max Berger Discusses Mediation in Securities Class Actions on JAMS Panel at Benjamin N. Cardozo School of Law
- June 8, 2006 - Max Berger Discusses Mediation Process and D&O Liability at New York City Bar CLE Event