

# EXHIBIT 1



## About Diamond McCarthy

Diamond McCarthy is a national litigation boutique practicing in complex and high-stakes business cases. From "bet the company" commercial disputes to business dissolutions to class actions, we are known as creative, sophisticated, thorough and tenacious litigators on both sides of the docket. We frequently are asked to tackle issues of first impression in the courts and regularly argue such issues in the trial and appellate courts. Across the country and around the world, in courts, arbitration forums, and in alternative dispute resolutions, we provide premier representation for our clients. In international litigation, Diamond McCarthy partners with outstanding lawyers in foreign forums to provide the best possible counsel to meet each client's particular needs.

Diamond McCarthy has a well-established record in high-stakes complex commercial litigations throughout Texas, the United States and in cross-border issues around the globe. We use a business-oriented, practical approach to litigation and dispute resolution to achieve extraordinary results. Diamond McCarthy's background in complex commercial litigation is extensive and includes issues based in contract, general tort, bankruptcy, fraud, professional liability/malfeasance, insurance coverage, accounting and complex financial and economic matters. We have litigated such claims across a broad spectrum of industries including without limitation, energy, oil & gas, the transportation sector (e.g., airlines, trucking, pipeline, shipping, et. al.), agri-foods, financial services, banking, chemicals, plastics, steel, retail, technology, health care, environmental and real estate, among many others. Additionally, our representation often requires that we investigate and analyze complex transactions, financial and legal forensics, asset tracing, accounting, insolvency issues, and various kinds of economic damage models.

When major law firms must refer clients and cases due to conflicts, Diamond McCarthy is often on their short list. This is because Diamond McCarthy has garnered a reputation for excellence in the legal community by working with – and often opposing – many of the most formidable large firms in the country with much success. While we are best known for our representation of corporate and high-net-worth individual plaintiffs, Diamond McCarthy attorneys also defend these same clients with equal vigor and tenacity. We are also noted for our superior forensic work in the discovery phase and our ability to augment the value of various economic and financial experts with our lawyers' strong business, finance and accounting acumen.

Whether taking the role of lead counsel or serving as co-counsel, Diamond McCarthy's value is reflected in our results, in our cost-effective, no-nonsense approach, and in our client commitment.



## LESLEY ANNE HAWES

### Partner

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Lesley Anne Hawes is located in Diamond McCarthy's San Francisco office. Her practice focuses on business and commercial litigation, bankruptcy and insolvency law, and federal receiverships.

Lesley's litigation practice has included representation of businesses and individuals in state and federal court in breach of contract and other commercial disputes. Lesley has been counsel for the court-appointed receiver or monitor in over 35 federal cases in district courts in California, Nevada, Arizona, Illinois, Texas, Missouri, Maryland, Massachusetts, Utah, Kentucky, Florida, and New York. Key engagements include representing the court-appointed receiver in *Securities and Exchange Commission v. Daniel Heath* (Central District of California); *FTC v. Ameridebt, Inc.* (District of Maryland); *Securities and Exchange Commission v. James P. Lewis, Jr.* (Central District of California); *FTC v. Jeremy Johnson* (District of Nevada); *FTC v. Asia Pacific Telecom* (Northern District of Illinois); and *FTC v. Fortune Hi-Tech Marketing, Inc.* (Eastern District of Kentucky). She has also been counsel on brief in three published decisions in the receivership area: *FTC v. Holibaugh*, 609 F. 3d 359 (4th Cir. 2010), *FTC v. Assail, Inc.*, 410 F. 3d 256 (5th Cir. 2005), and *Evans v. Armenta*, published at 2015 WL 5766134, 134 F. Supp. 3d 1052 (E.D. Ky. 2015).

Lesley's federal receivership practice has included representation of federal equity receivers throughout the United States in receiverships arising out of actions filed by various federal agencies, including the Securities and Exchange Commission, the Federal Trade Commission, the Commodity Futures Trading Commission, the Consumer Finance Protection Bureau and the Internal Revenue Service. Lesley has experience representing secured and unsecured creditors in Chapter 7 and Chapter 11 bankruptcy cases and related contested matters, including cash collateral, relief from stay and plan confirmation proceedings. Her receivership practice has included representation of state court receivers in business and real property receiverships. Lesley was also a regular contributing author to the Leasing and Financial Services Monitor from 1991 until 2016.

Lesley graduated Order of the Coif from the University of Southern California. She

#### Location

San Francisco, CA

#### Education

University of Southern California (J.D., 1984)

University of Southern California (B.A., 1981)

#### Areas of Practice:

Business Insolvency & Restructuring

Complex & High-Stakes Litigation

- Bankruptcy, Third Party & Professional Liability

#### Admitted to Practice:

California

Supreme Court of the United States

U.S. Court of Appeals, 9th Circuit

earned her undergraduate degree from the University of Southern California, where she was elected to both the *Phi Beta Kappa* and *Phi Kappa Phi* Honor Societies.



## KAREN K. DIEP

### Associate

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Karen is an Associate in Diamond McCarthy's San Francisco office, where she focuses on complex business litigation with a focus on the representation of directors and officers of various business associations, bankruptcy estates, corporate and individual debtors, and creditors. Most notably, Karen has represented receivers, Chapter 7 and Chapter 11 trustees with number matters involving fraudulent transfers in Ponzi scheme cases. She has also represented beneficiaries of trusts and estates and attorney-in-fact in probate matters.

Karen earned her J.D. from Syracuse University, College of Law in 2014 and her undergraduate from University of California Berkeley in 2009. In law school, she served as Associate Editor for the *Syracuse Journal of International Law and Commerce* and research assistant for Professor Gregory Germain, Professor of Business Associations, Bankruptcy, and Contracts.

Karen worked as a legal extern for the United States Department of Justice, Office of the United States Trustee, Region 2, where she assisted in fraud and abuse investigations in conjunction with other law enforcement agencies. She furthered her externship experience by working for the United States Department of Commerce, Office of General Counsel, where she assisted with legal matters related to Title VII of the Civil Rights Act.

Karen is a contributing writer for the Federal Circuit Writers Project of the Federal Bar Association's Bankruptcy Section covering recently published cases involving bankruptcy law in the Ninth Circuit. She has recently been named co-chair of the San Francisco Bankruptcy Barrister Section.

### Memberships

- San Francisco Bankruptcy Barrister Section, *co-chair* (2019)

### Location

San Francisco, CA

### Education

Syracuse University  
College of Law (J.D.,  
2014)

University of California,  
Berkeley (B.S. in History,  
2009)

### Areas of Practice:

Complex & High-Stakes  
Litigation

- Financial Institution  
Litigation
- Bankruptcy, Third Party  
& Professional Liability
- Professional Liability  
(including corporate  
director and officer,  
audit / accounting, and  
legal)
- Probate, Trust, and  
Fiduciary Litigation

### Admitted to Practice:

California

United States District  
Court, Northern District of  
California

United States District  
Court, Eastern District of  
California