UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 21-2989-MDL-ALTONAGA/Torres

IN RE: JANUARY 2021 SHORT SQUEEZE TRADING LITIGATION

RENEWED APPLICATION OF MELISSA R. EMERT FOR A LEADERSHIP POSITION

MELISSA R. EMERT of Kantrowitz, Goldhamer & Graifman P.C., counsel for Michael Oberlin, hereby respectfully submits this request to the Court to appoint her to Plaintiffs' Steering Committee ("PSC").

In light of the fact that it now appears that a PSC position has become available, I believe that I am well qualified to fill this position for the reasons that have been set forth in the Oberlin group's original leadership application and as supplemented herein. I have extensive experience litigating consumer and securities class actions. By way of example, I was directly involved in *In re Merck & Co., Inc., Sec., Derivative & "ERISA" Litig.,* MDL No. 1658 (SRC), Case No. 2:05-CV-01151-SRC-MF (D.N.J.), the massive securities fraud class action litigated for approximately ten years, which resulted in the recovery of $1.062 billion for the class. My prior firm was co-lead counsel in the case.

My combination of securities class action experience and consumer class action experience are perfectly suited for this consumer case.

It is respectfully submitted that, as presently comprised, the PSC may be underrepresented with respect to the Broker Dealer Tranche and my appointment would provide the appropriate balance in that respect. In addition, although all of the attorneys who are currently on the PSC are outstanding

attorneys, my appointment to the PSC will add to the diversity of the present committee which presently consists of only male attorneys.

While the Court did question the time that I would be available for such a position, the two cases which I currently have a leadership role in should not interfere with an appointment to the PSC in the within matter. I am one of three co-lead counsel in *In re: Daily Fantasy Sports Litig.,* 1:16-md-02677-GAO (D. Mass 2016) that is currently awaiting the hearing on Preliminary Approval for the class settlement which has been submitted. With regard to my other co-lead position in *Carder v. Graco Children's Products, Inc.,* 2:20-cv-00137-LMM (N.D. Ga. 2021), I am confident that I will be able to manage my time sufficiently so that I can personally devote the time necessary to fulfill my obligation to litigate this important matter. In addition, in *Carder*, Defendant's motion to dismiss was recently fully briefed and submitted as of April 2, 2021 and, will likely be pending *sub judice* for a number of months. I fully realize the time commitment needed for this litigation and hereby renew my commitment to the Court to devote whatever time is needed to this important litigation.

Dated: May 21, 2021

Respectfully submitted,

s/ Melissa R. Emert
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