
Cahill Wins Dismissal for Credit Suisse in XIV ETNs Class Action

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A Cahill litigation team prevailed on behalf of Credit Suisse and certain of its officers in defeating the three lawsuits comprising a purported consolidated class action, which alleged that Credit Suisse violated the federal securities laws by failing to disclose adequately the risks associated with its offering of Velocity Shares Daily Inverse VIX Short Term ETNs. Plaintiffs alleged claims arising under Sections 11 and 15 of the Securities Act of 1933 and Sections 9, 10(b) and 20 of the Securities Exchange Act of 1934 based on an alleged one-day loss in the value of the ETNs of \$1.8 billion. On September 25, 2019, Judge Analisa Torres of the U.S. District Court for the Southern District of New York adopted Magistrate Judge Sarah Netburn's earlier Report and Recommendation and granted Credit Suisse's motion to dismiss all claims with prejudice, ruling that the relevant offering documents were devoid of material misstatements and omissions and that the plaintiffs had failed to allege a plausible theory of scienter.

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