

Michael C. Tu

Partner



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Los Angeles Santa Monica

Securities Litigation + Enforcement

Commercial Litigation

Trials

White Collar Defense and Investigations

Corporate Governance and Shareholder Engagement

Michael Tu has more than 25 years of experience obtaining successful results for clients in stockholder litigation, regulatory investigations and proceedings, and mergers & acquisitions disputes under federal and state securities laws. He provides practical and business-focused advice to executives and boards on securities and corporate governance matters. He is recognized as a leading trial lawyer who has successfully prosecuted and defended numerous trials to verdict in federal and state courts, and is among the few lawyers in the country who have defended a securities class action trial to verdict. That shareholder class action trial, which resulted in a complete defense verdict, was recognized as one of the Top Defense Verdicts in California by the Daily Journal.

In addition to his representation of clients in disputes, Michael provides counsel to public and private companies regarding securities, corporate governance and disclosure issues, and has represented numerous board committees and accounting firms in connection with investigatory and litigation matters. He frequently advises multinational companies and executives based in the US, Asia and Europe on business disputes and securities matters.

His successful representation of clients in high-profile securities and corporate governance disputes has been widely reported in the media (including [The Wall Street Journal](#), [Los Angeles Times](#), [New York Post](#), [The Hollywood Reporter](#), [Variety](#), [The New York Times](#), [Fortune](#) and [The Recorder](#)), and he has been recognized as one of the Most Influential Minority Attorneys in Los Angeles by the Los Angeles Business Journal. Notable client quotes include:

- "Michael Tu and his team at Cooley stand out clearly as "best in class" in their space globally. The team takes the time to understand the people involved and fully understand the human dimensions as well as the often complex legal issues involved." – *Legal 500 US 2022*
- "Mike and team work with incredible attention to detail while maintaining a sense of urgency and take full "ownership" of key matters working as an invaluable partner with the client." – *Legal 500 US 2022*
- "Michael Tu is adept at handling a range of securities matters, offering significant experience in defending class and derivative actions as well as advising on regulatory enforcement actions. 'Michael has great communication skills and knows how to connect at the personal level.' 'He is a brilliant lawyer, well versed in the law and the process of the investigation, and insanely responsive.' 'A strong and strategic practitioner.'" – *Chambers USA 2021*

Michael serves as a member of the Executive Committee of the Litigation Section of the Los Angeles County Bar Association, where he currently is co-chair of the Sponsorship Committee, and has served as the Court Alerts editor and co-chair of the Federal Courts, Programs and Breakfast at the Bar committees. He

previously served as a member of the board of directors of the Constitutional Rights Foundation, as a Lawyer Representative for the Central District of California to the Ninth Circuit Judicial Conference and as a member of the board of advisors of the Securities Reform Act Litigation Reporter publication. Michael is a preapproved panel counsel member of Chubb's Preferred Securities Panel, AIG's Directors and Officers (securities claims) panel, as well as other insurer panels.

Michael has moderated and spoken at numerous events on securities law and corporate governance developments, including as a past faculty member of the Stanford Senior Executive Leadership Program, where he has taught business leaders on subjects such as cross-border litigation, risk management, and securities and accounting liability issues.

Before joining Cooley, Michael was a partner for more than 16 years at Orrick Herrington & Sutcliffe, where he headed the securities litigation practice in Southern California. From 1996 – 1997, Michael served as a judicial law clerk for the Hon. Carolyn Turchin, Chief Magistrate Judge, United States District Court for the Central District of California.

Michael's recent speaking engagements include:

- The Magistrate Judge Consent Program in the Central District of California: What You Need to Know, [Los Angeles County Bar Association](#), May 2023
- Securities Class Actions, [ABA West Coast Securities Litigation Regional CLE Program](#), May 2023

Michael's representative experience before joining Cooley includes advising:

- The controlling shareholder of a multibillion-dollar entertainment company in corporate governance litigation that resulted in a settlement implementing all actions sought by the client, including charter and bylaw changes ensuring that a major movie studio that was one of the company's most valuable assets remained wholly owned, plus the resignation of numerous executives and board members, and the dismissal of four lawsuits challenging those decisions.
- The former president of the nation's largest mortgage lender in dozens of class action, derivative, investigative and other related litigation matters by shareholders, bondholders, institutional investors, and federal and state regulators alleging fraud and securities violations.
- Principal officers and directors of a leading media and marketing company in a shareholder class action alleging securities violations in connection with a reverse merger transaction that resulted in a complete defense verdict following trial, which was affirmed on appeal.
- The chairman emeritus and controlling shareholder of one of America's major broadcast television and radio networks in a shareholder derivative action alleging unfair and excessive executive compensation claims, resulting in the dismissal of all claims with prejudice.
- A prominent internet search and artificial intelligence company in a lawsuit by an investment fund and its founder alleging defamation and libel, commercial disparagement, tortious interference with prospective business relations, intentional infliction of emotional distress and civil conspiracy claims in the amount of \$10 billion, resulting in dismissal of all claims with prejudice; and a lawsuit by a plaintiff alleging claims of fraud, defamation and violations of the Digital Millennium Copyright Act of more than \$1 billion, also resulting in dismissal of all claims.
- An interactive music and entertainment company, its officers and directors in a shareholder lawsuit alleging fraud, breaches of fiduciary duties, dilution, unfair business practices, and other direct and derivative claims, which was dismissed with prejudice and affirmed on appeal.
- Principal executive officers and directors of a major US multistate managed healthcare organization in shareholder class action and derivative lawsuits filed in federal and state courts alleging accounting violations, resulting in dismissal of claims.
- Underwriters, investment banks and financial institutions in the defense of shareholder class action and

derivative litigation matters alleging violations of securities laws in connection with public securities offerings brought in federal and state courts.

- Principal executive officers and directors of a water company in multiple federal and state shareholder class action and derivative lawsuits alleging securities violations.
- An internet media company and its principal officers and directors in several federal and state cases involving merger, derivative and shareholder class action litigation.
- Principal officers and directors of a financial services company in shareholder class action and related bankruptcy proceedings with respect to allegations of securities fraud in connection with the securitization of loan receivables, resulting in complete dismissal of claims.
- A US recycling company and its executives in a securities class action alleging tax and accounting claims, obtaining the dismissal of all claims with prejudice.
- A non-US sovereign entity in international and US securities fraud litigation regarding an early-stage internet investment fund.
- A fiber optics technology company and its principal officers and directors in securities fraud litigation brought by investors, resulting in complete dismissal of claims.
- A US restaurant company and its principal officers and directors in a shareholder class action alleging accounting and disclosure violations, resulting in dismissal of claims.
- A technology services company and its principal officers and directors in securities fraud class action and related bankruptcy proceedings.
- An international pharmaceutical company in the defense of a federal securities fraud lawsuit, and served as a member of the trial team that obtained a favorable trial verdict.
- A software company and its principal officers and directors in a securities class action alleging accounting and disclosure violations.
- A healthcare insurance company and its principal officers and directors in securities class action litigation, resulting in dismissal of all claims.
- A software modeling company and its principal executive officers in securities class action litigation alleging accounting allegations, resulting in dismissal of all claims.
- A medical device company and its principal officers and directors in a shareholder class action and derivative lawsuit brought in federal and state courts, resulting in dismissal of all claims.
- Special committees and special litigation committees of the boards of five public companies with respect to internal investigations and litigation in connection with executive stock option and compensation issues.
- Hong Kong- and China-based affiliates of two international accounting firms with respect to securities counseling and audit issues, and shareholder class action lawsuits alleging securities fraud claims.
- Four online educational technology companies that were hit by a \$62.2 million trial judgment, obtaining a reversal of the judgment in its entirety on appeal, without any remand for a retrial.

Education

University of California at Los Angeles School of Law
JD, 1996

University of California, Berkeley
BA, 1993

Admissions & Credentials

California

Court Admissions

US Supreme Court

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Central District of California

US District Court for the Northern District of California

US District Court for the Southern District of California

US District Court for the District of Colorado

Rankings & Accolades

Chambers USA: Litigation: Securities – California (2020 – 2023)

Legal 500: Securities – Shareholder Litigation

AV Preeminent by Martindale-Hubbell in Securities Law and Business Law

Los Angeles Business Journal: Most Influential Minority Attorneys in Los Angeles

Southern California Super Lawyers

Best Lawyers in America: Litigation – Securities