



## Jarett Sena

Senior Counsel

New York

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### Overview

Jarett Sena is Senior Counsel in DiCello Levitt's New York office whose practice focuses on counseling institutional investor clients around the world and litigating securities-related matters and complex commercial disputes on their behalf. He has litigated all aspects of securities opt-out and business valuation matters in courts around the country. Specifically, Jarett has successfully prosecuted securities opt-out litigation, class actions, appraisal proceedings, breach of fiduciary duty cases, and other complex commercial disputes on behalf of investors.

Prior to joining DiCello Levitt, Jarett was the Director of Litigation Analysis at ISS Securities Class Action Services, where he provided unbiased guidance and analysis to pension fund, asset manager, sovereign wealth, private wealth, and hedge fund clients on securities-related matters in the U.S. and abroad. In his role, Jarett also developed an opt-out monitoring service to help clients make informed decisions about whether to pursue direct action. Prior to ISS, Jarett worked for several prominent, New York-based plaintiffs' firms, where he represented institutional investors in securities fraud matters, business valuation disputes, fiduciary duty claims, and other complex commercial disputes and class actions from inception through trial.

An experienced litigator, Jarett has been an integral trial team member in high-profile bench trials in the Delaware Court of Chancery. He was also a leading member of a team named Kids in Need of Defense's 2021 Newark Pro Bono Team of the Year for its work achieving asylum for a father forcibly separated from his son.

### Practice Areas

CLASS ACTION LITIGATION

COMMERCIAL LITIGATION

SECURITIES AND FINANCIAL PRODUCTS LITIGATION

## Education

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Fordham University School of Law, J.D., *cum laude*

University of Wisconsin-Madison, B.A., Phi Beta Kappa

## Representative Matters

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*In re Envision Healthcare Corporation Securities Litigation* (M.D. Tenn). Secured the first-ever written decision to endorse an intervention strategy to preserve the timeliness of investor claims under the Securities Exchange Act in a direct action.

*HBK Master Fund, et al. v. Pivotal Software Inc.* (Del. Ch.). Helped secure an award above deal price in a five-day trial on behalf of a hedge fund claiming the acquisition of a controlled high-growth software company by the controller was undervalued.

Litigated a securities opt-out action against a large pharmaceutical manufacturer within bankruptcy and helped successfully settle the matter on behalf of a hedge fund client.

Served on the trial team in week-long trials in Delaware Chancery Court and North Carolina Business Court, respectively, representing a consortium of hedge funds with over \$500 million in valuation claims.

Helped reach a confidential settlement in a direct action against a China-based coffee company and its U.S.-based underwriters arising from fraudulent initial and secondary public offerings of American Depositary Shares.

## Awards & Honors

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Newark Pro Bono Team of the Year, **Kids in Need of Defense (KIND)** (2021)

## Publications & Presentations

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### Publications

“Participating In Securities Collective Actions Outside the US: Are Adverse Costs Worth the Risk?” ISS Securities Class Action Services, white paper, 2023

“Preemption of Class III Medical Devices: The Contours of the Parallel Claim Exception,”  
42 Fordham Urb. L.J. 291, 2015

### **Presentations**

“Developing Litigation Strategies To Help Achieve Your Funds’ Goals,” ISS Securities Class Action Services and Norges Bank Investment Management, webinar, May 2024

“The Role of the Investor in Securities Class Actions,” ISS Securities Class Action Services, the Teacher Retirement System of Texas, and the State of Wisconsin Investment Board, webinar, November 2023

“Navigating Class Actions in Europe,” ISS Securities Class Action Services, Woodsford, and Burford Capital, webinar, April 2023

### **Admissions & Memberships**

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#### **Bar Admissions**

New Jersey

New York

#### **Court Admissions**

U.S. District Court, District of New Jersey

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. District Court, Western District of Wisconsin