



Mark Holland

Partner

mholland@goodwinprocter.com

New York City | 212.459.7152



Mark Holland is a partner in the firm's Litigation Department and a member of its Securities Litigation & SEC Enforcement Practice. He joined Goodwin Procter in 2009.

Work For Clients

Mr. Holland has over 30 years of experience defending securities class actions and shareholder derivative suits. He focuses on defending issuers and underwriters in public offering litigation and defending investment advisers and mutual funds in litigation under the Investment Company Act of 1940.

Mr. Holland has appeared as counsel of record for defendants in many of the major securities litigations of the past decade, including: Merrill Lynch in coordinated class actions alleging market manipulation in connection with over 300 technology IPOs, *In re IPO Sec. Litig.*, 471 F.3d 24 (2d Cir. 2006); Citigroup in class action litigation arising out of the collapse of Parmalat, *In re Parmalat*, 376 F.Supp 2d 472 (SDNY 2005); Alliance Bernstein in civil litigation arising out of market timing allegations, *In re Mutual Funds Investment Litig.*, 04 MDL 1586 (D. Md. 2004); Merrill Lynch Investment Management in class actions arising out of purportedly conflicted analyst research reports, *In re Merrill Lynch & Co. Research Reports Litig.*, 272 F.Supp. 2d 243 (SDNY 2003); and the Independent Trustees of the Reserve Primary Fund in litigation brought in connection with that fund's "breaking the buck" in September 2008, *In re The Reserve Fund Sec Litig.*, 1:09 MD 2011 (SDNY). He is currently representing Bank of America/Countrywide in litigation brought by monoline insurers arising out of the mortgage market meltdown.

Mr. Holland also has extensive experience defending mutual fund litigation. In addition to the *Market Timing* and *Reserve Fund* cases, he successfully argued against the existence of private rights of action under the 1940 Act in *Olmsted v. Pruco Life*, 283 F.3d 429 (2d Cir. 2002); obtained summary judgment dismissing conflict of interest allegations under Section 36(b) of the 1940 Act in *Green v. FAM*, 286 F.3d 682 (3d Cir. 2002); and defeated shareholder challenges under Section 15(f) of the 1940 Act to the merger of Mellon Bank and Dreyfus, *Olesh v. Dreyfus* 1995 WL 500491 (EDNY 1995).

Recognition

In 2010, Mr. Holland was named Independent Counsel of the Year at the 17th Annual Mutual Fund Industry Awards ceremony, sponsored by *Fund Action* and *Fund Directions*. He repeatedly has been recognized by *Chambers USA* as one of the leading individuals in securities litigation in New York and nationwide. He has also been recognized by *The Legal 500 U.S.* for his securities litigation work. He has spoken at numerous industry conferences and CLE seminars on securities and mutual fund litigation.

Professional Experience

Prior to joining Goodwin Procter, Mr. Holland was a partner in the New York office of Clifford Chance, where he served as co-head of the U.S. Securities and White Collar/Regulatory Practice Group.

Mr. Holland serves on the Committee on Investment Management Regulation of the New York City Bar and previously served on the Committee on Securities Litigation.

Practices

Securities Litigation & SEC Enforcement

Education

J.D., 1981
Cornell Law School

(with honors)

B.A., 1978

Colgate University
(*cum laude*)

While at law school, Mr. Holland served as the Managing Editor of the *Cornell Law Review*.

Admissions

Bar

New York

Courts

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Southern District of New York

U.S. District Court for the Eastern District of New York

U.S. Court of Appeals for the Fourth Circuit
