Apollo Judge Steps Away From Case Over Payout Tied to Black Exit

- Vice Chancellor Bonnie W. David has agreed to disqualify herself from the case over Apollo Global Management Inc.'s $570 million payout to its founders due to her ties to a law firm that advised Apollo on a related transaction.
- The lawsuit, filed by a pension fund in 2023, claims that Apollo's restructuring was at least partly a pretext for facilitating the departure of co-founder Leon Black, whose links to Jeffrey Epstein have made headlines.
- The case will be randomly reassigned, according to David's brief order, after she granted the pension fund's motion for judicial disqualification citing an American Bar Association opinion on the ethical duty of lawyers to disclose information reasonably likely to require recusal.

The Delaware judge handling litigation over Apollo Global Management Inc.'s $570 million payout to its founders has stepped aside from the case.

Vice Chancellor Bonnie W. David agreed to disqualify herself Tuesday over her ties to a white-shoe law firm that advised Apollo on a transaction related to the dispute. The case is part of a wave of lawsuits in Delaware's Chancery Court that say insiders seized value from public investors when they manipulated conversions by umbrella partnerships into ordinary corporations.

The lawsuit, filed by a pension fund in 2023, says the private equity giant's restructuring was at least partly a pretext for facilitating the departure of co-founder Leon Black, whose links to the sex-trafficking financier Jeffrey Epstein have made headlines.

That headache has continued for Black, who left Apollo in 2021. The billionaire was subpoenaed by a congressional committee last month, about two weeks after walking out early from a voluntary closed-door session that spurred a clash over his nondisclosure agreements. Black has denied any involvement with or knowledge of Epstein's crimes.

The case will be randomly reassigned, according to David's brief order. Her decision comes about two months after she agreed to leave parallel litigation involving KKR & Co. Both motions for judicial disqualification targeted the judge's past at Skadden, Arps, Slate, Meagher & Flom LLP.

The requests, filed days apart, followed just a few weeks after Elon Musk capped a two-year crusade against one of David's colleagues by wielding bias allegations to get his final Delaware cases reassigned.

Although the timing sparked concerns about judge shopping, a Bloomberg Law analysis found the trend was likely limited to at most two other cases. The shareholder attorneys leading one of those lawsuits, which concerns GoDaddy Inc.'s transition away from the umbrella structure, said recently that they don't plan to file a similar motion. Recusal hasn't come up in the other.

Ethics Opinion

Both motions for judicial disqualification cited an American Bar Association opinion from April that discussed the ethical duty of lawyers "to disclose information reasonably likely to require recusal."

David initially reacted skeptically, saying in a court filing that Skadden's role in a related transaction — merging Apollo with an affiliate, Athene Holding Ltd. — had barely come up in three years of litigation. The judge, who didn't work on either the Apollo or KKR restructurings, reminded the lawyers involved in the case of their duty not to seek an edge by abusing the recusal process.

But she granted the pension fund's motion Tuesday.

The Anguilla Social Security Board is represented by Friedlander & Gorris PA, Robbins Geller Rudman & Dowd LLP, and Shobe & Shobe LLP. Black is represented by Quinn Emanuel Urquhart & Sullivan LLP.

Apollo's other founders and board members are represented variously by Richards, Layton & Finger PA, Young Conaway Stargatt & Taylor LLP, Weil, Gotshal & Manges LLP, Morris, Nichols, Arsht & Tunnell LLP, Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC, O'Melveny & Myers LLP, and Friedman Kaplan Seiler Adelman & Robbins LLP.

The private equity firm is represented by Potter Anderson & Corroon LLP and Fried, Frank, Harris, Shriver & Jacobson LLP. Its special litigation committee is represented by Ross Aronstam & Moritz LLP and Willkie Farr & Gallagher LLP.

The case is Anguilla Soc. Sec. Bd. v. Black , Del. Ch., No. 2023-0846, 7/7/26 .

ASP Isotopes Reaches $9.4 Million Investor Class Settlement

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ASP Isotopes Inc. agreed to pay $9.35 million to resolve investor allegations that the company overstated its ability to enrich uranium in 2024 when it hadn't actually done so.

The settlement, proposed Tuesday in the US District Court for the Southern District of New York, would end about a year and a half of litigation over whether the isotope enricher hid from investors that the company had never enriched uranium while implying its technology was capable of doing so. Judge Colleen McMahon previously certified a shareholder class, saying that investors sufficiently alleged an inference of CEO Paul Mann's conscious recklessness to defraud.

- The investor class includes those who got ASPI stock from Sept. 26, 2024, to Nov. 26, 2024
- Investors alleged that ASPI touted that it and its predecessor had achieved results comparable to existing ways methods of enriching uranium, but didn't share that neither company had operated its technology on uranium
- Investors sued after a short-seller report accused ASPI of using old technology in November 2024, followed by Mann saying ASPI had never tested its quantum enrichment tech on uranium

Glancy Prongay Wolke & Rotter LLP is investor class counsel. Morgan, Lewis & Bockius LLP represents ASPI and Mann. Neither of these law firms nor ASPI immediately responded to emails seeking comment.

The case is Leone v. ASP Isotopes Inc. , S.D.N.Y., No. 1:24-cv-09253, preliminary approval motion 7/7/26 .

Bayer seeks to end federal Roundup litigation after Supreme Court win

NEW YORK, July 8 (Reuters) - Bayer (BAYGn.DE), opens new tab on Thursday will try to convince a federal judge to dismantle the federal litigation that consolidates nearly 4,000 lawsuits alleging that its Roundup weedkiller causes cancer, seeking to build on a recent legal victory at the U.S. Supreme Court.

U.S. District Judge Vincent Chhabria in San Francisco is holding a status conference to determine the path forward for those cases after the U.S. Supreme Court ruled last month that plaintiffs cannot sue Bayer by arguing that Roundup's warning label failed to warn users about cancer risks. Bayer has argued that the decision should lead to the dismissal of the consolidated federal litigation.

The company has separately said the ruling is unlikely to affect more than 60,000 similar claims pending in state courts, most of which it is seeking to resolve through a proposed $7.25 billion settlement that a Missouri judge will review in August.

Bayer, which acquired Roundup when it purchased Monsanto in 2018, has said that decades of studies have shown Roundup's key ingredient glyphosate is safe, and does not cause cancer.

Chhabria had initially scheduled the status conference for Tuesday, but delayed the hearing by two days to ask Bayer and the plaintiffs for more detail on the impact of the Supreme Court ruling.

The Supreme Court said plaintiffs cannot argue that Roundup's warning label was insufficient under U.S. state laws because the U.S. Environmental Protection Agency has already concluded that the label does not require a warning about cancer risk.

Bayer has argued in filings to Chhabria that “failure to warn” claims are at the heart of the lawsuits, saying that the consolidated federal litigation has "no reason to exist" after the Supreme Court ruling and that all of the plaintiffs' other claims, including negligence and design defect, are merely variations of the central argument that the company sold Roundup without an appropriate warning.

Plaintiffs' attorneys countered that the Supreme Court ruling was limited to Roundup's label, and does not affect the viability of other claims commonly asserted in Roundup personal injury lawsuits, such as design defect and negligence claims.

Bayer's Monsanto unit did not immediately respond to requests for comment. Robin Greenwald, an attorney for the plaintiffs, said the consolidated litigation should not be shut down.

Chhabria in a Monday order said both sides had submitted “unsatisfying” initial responses to his questions about how the cases should proceed, and that they “should be prepared to plow ahead” on complicated legal questions without assuming that the cases would all be dismissed or that they would all move forward.

New Lawsuit Suggests Evolution in Cross-Border Securities Fraud

For more than two decades, The D&O Diary has chronicled successive waves of securities litigation involving foreign companies with shares listed on U.S. exchanges. The Chinese reverse merger cases of the early 2010s centered on alleged accounting fraud. More recently, a new cluster of lawsuits has emerged involving low-float stocks, artificial intelligence announcements, SPACs, and alleged market manipulation.

A lawsuit filed in the Southern District of Texas on June 23, 2026, brings many of these themes together and may signal an emerging variant of cross-border securities fraud. The complaint combines four themes that have increasingly appeared in D&O litigation: sanctions, cryptocurrency, low-float trading, and cross-border market manipulation.

The Lawsuit

Kingbird allegedly held a short position in shares of Inno Holdings, a Texas corporation whose common stock trades on Nasdaq under the symbol “INHD.” Over the course of a year, the defendants, linked to Cambodia’s Prince Group, a U.S.-sanctioned transnational criminal organization, purportedly took control of Inno Holdings through offshore deals. They allegedly replaced the board and management, relocated major operations abroad, and transformed the business into the center of a market manipulation scheme.

The complaint alleges that, after acquiring control of the company, the defendants concentrated ownership of the publicly tradable float through offshore Regulation S offerings, undisclosed PIPE investors, and affiliated entities located in Hong Kong, the British Virgin Islands, and Cambodia. Kingbird further alleges that cryptocurrency transfers funded portions of the acquisition and that opaque offshore ownership structures concealed the identities of the persons ultimately controlling the issuer and its publicly traded shares.

According to Kingbird, these transactions culminated in an extraordinary trading episode on June 8, 2026. The complaint alleges that INHD’s share price increased from approximately $1.11 to more than $39 during a single trading session while reported trading volume exceeded 278 million shares despite fewer than five million shares outstanding and an allegedly much smaller freely tradable float. Nasdaq subsequently imposed a Trading Halt Code T12, which remained in effect when the complaint was filed.

The complaint asserts violations of Sections 9(a), 10(b), and 18 of the Securities Exchange Act, as well as various state law causes of action.

Discussion

From a D&O perspective, the complaint brought by Kingbird is noteworthy because it combines several litigation themes which we have followed independently.

Sanctions and Access to U.S. Capital Markets

The D&O Diary has previously noted that sanctions and enforcement actions can create disclosure and liability risks for directors and officers. As sanctions restrict access to traditional financial channels, bad actors may increasingly seek alternative routes into the global financial system through offshore entities, cryptocurrency, and publicly traded companies.

Kingbird alleges in its complaint that a Nasdaq listing itself became part of the alleged scheme by providing legitimacy and access to liquid markets. For D&O underwriters, this convergence means that geopolitical and sanctions risk may increasingly present not only compliance challenges but also potential securities litigation exposure.

Cryptocurrency

According to the complaint, the defendants allegedly used USDT cryptocurrency transfers to fund the acquisition and move money among offshore entities.

Cryptocurrency is not unlawful or inherently suspicious. Regulators have increasingly focused on its use in sanctions evasion and cross-border criminal activity. The Kingbird complaint alleges that cryptocurrency helped conceal a covert acquisition and facilitate market manipulation.

From a D&O perspective, these allegations highlight how opaque, crypto-funded acquisitions can become the basis for securities litigation.

Low-Float Litigation Risk

Over the past six months, the D&O Diary has highlighted how low-float companies are becoming prime targets for securities litigation. Recent lawsuits allege that unusually small public floats allowed relatively modest trading activity to generate dramatic stock price movements.

The complaint against Inno Holdings alleges that control of the public float enabled manipulation of both trading activity and securities lending. For D&O underwriters of smaller public companies, low public float is increasingly emerging as a standalone litigation risk factor.

Is This the New Chinese Fraud?

The complaint brought by Kingbird may also invite comparison to the wave of litigation involving Chinese reverse merger companies more than a decade ago. In both contexts, plaintiffs alleged that foreign actors accessed U.S. public markets through offshore companies with opaque operations and governance structures.

There is, however, a key distinction. The earlier Chinese cases generally involved operating companies accused of misstating revenues or assets. By contrast, the Kingbird complaint alleges that the public company functioned as part of a broader criminal enterprise. Instead, the complaint alleges that the Nasdaq listing itself became part of a broader criminal scheme involving cryptocurrency and market manipulation.

The allegations have yet to be tested. But if similar fact patterns continue to emerge, this case may signal an evolution in foreign issuer litigation, not just a continuation of earlier trends.

Conclusion

Whether Kingbird ultimately proves its allegations remains to be seen. Nevertheless, the complaint is noteworthy because it combines several litigation themes that previously have appeared separately—sanctions, cryptocurrency, low-float trading, and foreign-issuer litigation.

More importantly, it illustrates how sophisticated criminal enterprises may seek to exploit the credibility and liquidity associated with U.S. exchange listings. If similar allegations emerge in future cases, this lawsuit may prove less significant for what it says about corporate governance than for what it suggests about the increasingly sophisticated methods by which bad actors may attempt to manipulate U.S. securities markets. That possibility is one that regulators, exchanges, investors, and D&O underwriters alike will undoubtedly be watching closely.

Google defeats consumer lawsuit over Gemini data tracking claims

WASHINGTON, July 8 (Reuters) - Alphabet's (GOOGL.O), opens new tab Google has convinced a federal judge in California to dismiss a lawsuit accusing the technology giant of enabling its artificial intelligence tools to track users' communications without their knowledge or consent.

U.S. District Judge Noel Wise in San Jose said in her ruling, opens new tab on Tuesday that the two Google users who filed the proposed class action last year failed to show that the company's artificial intelligence platform Gemini had harmed them.

Wise said the consumers' claims that Gemini could be used to track their data could not alone sustain their lawsuit. “Most importantly, plaintiffs have not alleged that their own data has been impacted by Gemini tracking,” Wise said.

The judge said the plaintiffs could amend and refile their case within 21 days.

Google and lawyers for the plaintiffs did not immediately respond to requests for comment on Tuesday. Google has denied any wrongdoing.

The lawsuit, opens new tab alleged Google violated user privacy by allowing Gemini to track communications by default, rather than as an opt-in feature. The complaint said Google was using Gemini “to access and exploit” its users' emails and other records.

“Google's deceptive and outrageous conduct violates its users' reasonable expectations of privacy,” the lawsuit said.

Google in asking Wise to dismiss the lawsuit said the plaintiffs had not alleged “that any specific communication of theirs was ever accessed, much less that it was misused.”

Wise said the plaintiffs described only in general terms the kind of information that could be accessed through their Google accounts.

“Plaintiffs have not observed their data being used by Gemini, for example, via targeted advertisements, personalized suggestions, or other changes in their services,” the judge wrote.

The case is Thomas Thele et al v. Google LLC, U.S. District Court, Northern District of California, No. 5:25-cv-09704-NW.

Opening the litigation floodgates against social media companies

California is leading the way to a new frontier of social media accountability. The verdict in Los Angeles Superior Court case, *K.G.M. v. Meta Platforms, Inc. & YouTube LLC*, places social media companies in the spotlight for their harmful effects on children.

Plaintiff K.G.M. (Kaley) filed her complaint in the Superior Court of California, County of Los Angeles, in 2023, against Meta and YouTube, and others (original TikTok and Snapchat defendants settled), alleging negligent design and failure to warn users of dangerous platform features. She alleged that she began using YouTube at age six and Instagram and others a few years later, spending all day on them.

She further claimed that the defendants' platform elements, such as infinite scroll, autoplay and continuous notifications, were designed to lure vulnerable children susceptible to obsessively engaging with the platforms. As a result of the platform design and the defendants' failure to warn of its dangers, Kaley suffered depression, body dysmorphia, severe anxiety and suicidal ideation. Meta and YouTube countered that Kaley's mental health issues were due to her complicated family life, not their platform features.

K.G.M. is one of the approximately 800 cases consolidated under Judicial Council Coordinated Proceeding (JCCP 5255) before Judge Carolyn B. Kuhl in the Superior Court of California, County of Los Angeles (Lead Case No. 22STCV21355), filed by California families and school districts in late 2022. These cases allege similar complaints concerning the addictive design of social media platforms that injure youth.

Historically, civil liability complaints against social media companies have been largely barred by Section 230 protections under the 1996 Communications Decency Act (47 U.S. Code § 230), which immunizes publishers and moderators of third-party content against civil liability. Meta demurred to the *K.G.M.* complaint, claiming Section 230 immunity. However, K.G.M. lawyers alleged that the platform and not the content was harmful, thereby surviving the demurrer. Judge Kuhl allowed *K.G.M.* to proceed to test the evidence and legal theories underlying harmfully addictive social media platform claims.

The master complaint consolidating all cases under JCCP No. 5255 was filed on May 16, 2023, followed by Meta's demurrer to the strict liability causes of action for defective design in the master complaint. Judge Kuhl dismissed the strict product liability design defect claims in the consolidated cases, determining in her Oct. 13, 2023, memorandum of findings that social media platforms are not products. However, she allowed the negligent design and failure to warn causes of action in *K.G.M.* to proceed, as they were based on conduct not content.

The over 2,500 cases consolidated under MDL No. 3047 before Judge Yvonne Gonzalez Rogers in the U.S. District Court for the Northern District of California similarly allege that social media platforms are designed to foster addictive use in minors.

In response to defendants' Section 230 motion, Judge Gonzalez Rogers ruled that Section 230 does not provide blanket immunity and applies to third-party content, not platform features.

On March 25, the jury found defendants liable for K.G.M.'s injuries and awarded $6 million, including $3 million in punitive damages under Civil Code § 3294.

The verdict is being described as a bellwether, signaling potential expansion of liability theories against social media companies in the remaining consolidated state and federal cases.

US judge approves Elon Musk settlement with SEC despite misgivings, 'red flags'

reuters.com/world/judge-approves-elon-musk-settlement-with-us-sec-over-twitter-disclosures-2026-07-08

July 8 (Reuters) - A federal judge on Wednesday approved the U.S. Securities and Exchange Commission's settlement with Elon Musk over his purchase of Twitter shares, despite expressing "significant misgivings" about the accord and the "red flags" it raised.

U.S. District Judge Sparkle Sooknanan in Washington, D.C., said she had a limited role in assessing whether the settlement met minimum standards of fairness and reasonableness, and it was up to the public to decide at the ballot box if the SEC did enough to hold Musk accountable.

The settlement requires a trust in Musk's name to pay $1.5 million to resolve SEC claims that the world's richest person took 11 days too long in March and April 2022 to disclose his early purchases of Twitter shares.

According to the SEC, the delayed disclosure let Musk buy at low prices before investors caught on, resulting in $150 million of ill-gotten gains.

Musk has said the delay was inadvertent. He ultimately paid $44 billion for Twitter in October 2022 and renamed it X.

The social media platform is now part of his rocket and satellite company SpaceX (SPCX.O), opens new tab. Musk also leads the electric car company Tesla (TSLA.O), opens new tab.

US law firm Blank Rome faces class action over data breach

reuters.com/legal/litigation/us-law-firm-blank-rome-faces-class-action-over-data-breach-2026-07-06

July 6 (Reuters) - Blank Rome is the latest U.S. law firm to face a proposed class action for allegedly failing to protect clients' sensitive personal information — including Social Security numbers — after hackers targeted the firm in a May data breach.

Here are the details:

- The lawsuit, filed Monday in Pennsylvania federal court, was brought by Laura Delapaz, a California resident who said in her complaint, opens new tab that she was among 57,554 current, former and prospective Blank Rome clients whose personal information was compromised in a May 21 data breach.
- Delapaz alleged the firm waited more than a month to disclose the breach to affected clients and that names, birth dates, addresses and taxpayer information numbers were among the compromised data.
- Blank Rome said in a statement Monday that it experienced a "limited incident" in which a "group that targets law firms" called one of its attorneys posing as the firm's IT department and misled the lawyer into uploading files to an external file hosting website.
- "We believe the lawsuit has no merit and will aggressively defend against it," the firm said.
- Delapaz's attorneys with Chicago firm Strauss Borrelli did not immediately respond to requests for comment Monday. The lawsuit alleges Blank Rome "failed to adequately train its employees on cybersecurity and failed to maintain reasonable security safeguards or protocols."
- A growing number of law firms have faced similar data breach lawsuits. Fox Rothschild; Wiley Rein; Pillsbury; and Kelley Drye are among the firms that have been sued in the past year. Some firms, including Gunster Yoakley & Stewart, Orrick Herrington & Sutcliffe, and Bryan Cave Leighton Paisner, have reached settlements in recent years.

Second Circuit Holds that Delayed, Market-Tracking Stock Drop Dooms Loss Causation | Business Information & News | FE

On June 26, 2026, the Second Circuit affirmed the dismissal of a securities fraud claim, holding that a plaintiff must plausibly explain why a stock price decline that was delayed and merely tracked the broader market was caused by the alleged fraud rather than by intervening market forces.

In Huey v. Anavex Life Sciences Corp., the Second Circuit affirmed the district court's dismissal with prejudice of a putative class action under Section 10(b) of the Securities Exchange Act of 1934 for failure to plausibly plead loss causation.

The plaintiff alleged that Anavex, a biopharmaceutical company, and its then-CEO misled investors by implying that the U.S. Food and Drug Administration had approved their methodology for measuring a drug's efficacy in clinical trials. However, on the day the defendants purportedly corrected the alleged misrepresentation in a disclosure, Anavex's share price rose 5.8%. The price then declined by 7.0% and 4.8% over the next two days. But those declines were consistent with the broader market, and Anavex's stock did not notably underperform until the second day. The district court found the company's stock price increase following the corrective disclosure fatal and denied leave to replead.

The Second Circuit rejected a per se rule that a plaintiff can establish loss causation only by showing a loss on the day of the corrective disclosure. But the court concluded that where the alleged loss is delayed and coincides with a market-wide decline, a plaintiff bears a "heightened burden" to plead "some indication" of why the loss was delayed and attributable to the corrective disclosure rather than intervening market forces, even though loss causation does not need to be pled with particularity under Federal Rule of Civil Procedure 9(b). Because Anavex's stock price initially rose and the plaintiff failed to adequately explain how the subsequent declines were linked to the corrective disclosure (rather than judicially noticeable broader market movements), the court held she failed to plausibly plead loss causation and affirmed dismissal of her claims.

This decision marks the first circuit court decision to impose a "heightened" pleading burden under Civil Rule 8 where the plaintiff's loss coincides with a market-wide phenomenon. That heightened burden can be a meaningful tool for defendants at the pleading stage. An increase on the day of a corrective disclosure, a delayed price decline, and movements that merely track the broader market each cut against loss causation and can support early dismissal. Plaintiffs must plead non-conclusory facts disaggregating company-specific losses from general market trends, particularly where the price drop is delayed.

Trans Union Reaches Class Settlement Over Erroneous Reports

July 7, 2026

Trans Union LLC and a group of consumers have settled a class action alleging the company, over a three-year period, erroneously issued consumer reports noting that the group's members had filed for bankruptcy without first verifying that information.

Judge Karen S. Marston, of the US District Court for the Eastern District of Pennsylvania, preliminarily approved the parties' settlement agreement Monday.

Marston certified the class in 2024, noting that Trans Union was accused of violating the rights of thousands of people nationwide.

Under the terms of the settlement, Trans Union will maintain reasonable procedures to prevent disseminating unverified notations of consumer bankruptcy filings, create an $8.3 million settlement fund to provide monetary relief to the settlement class, and pay the class's attorneys' fees and costs.

The settlement class agreed to release Trans Union from all claims relating to the reporting of bankruptcy remarks on the reports. Marston set a final settlement hearing for Dec. 2.

Hussin Law and Francis Mailman Soumilas PC represent the class. O'Melveny & Myers LLP, Reed Smith LLP, Seyfarth Shaw LLP, and in-house attorneys represent Trans Union.

The case is Brooks v. Trans Union, LLC , E.D. Pa., No. 22-cv-48, 7/6/26 .

23andMe's $47M Data Breach Deal Gets Bankruptcy Court OK

(July 7, 2026, 7:37 PM EDT)-- A Missouri bankruptcy judge entered an order Tuesday authorizing a $46.7 million settlement between the plan administration trust created under the Chapter 11 plan of DNA-testing company 23andMe and data breach claimants, finding the deal is fair and equitable.

Under the **deal**, the trust will pay the full $46.7 million, minus some $14 million it has already paid to claimants, within five business days of the court approving the settlement.

"The Settlement Agreement was proposed, negotiated, and entered into by the Parties in good faith," U.S. Bankruptcy Judge Brian C. Walsh wrote in the order.

The judge also said the court finds the deal is "within the reasonable range of litigation outcomes," and is "reasonable, fair, and equitable, and in the best interests" of the plan administration trust and its beneficiaries.

Judge Walsh in October agreed to give preliminary certification of the U.S. data breach class in connection with the settlement. **In January**, he said he would give final approval to the settlement, complete with a range of settlement amounts between $30 million and $50 million.

23andMe, which was known for its mail-order DNA testing kits, filed for bankruptcy in March 2025. It confirmed a Chapter 11 plan in early December after selling its assets for $305 million to a nonprofit owned by its founder.

The plan included a series of settlements 23andMe struck for claims tied to a 2023 **cybersecurity breach** where hackers stole the data of more than 6 million customers.

The claims were consolidated in multidistrict litigation in Northern California in April 2024. 23andMe reached a string of settlements with various classes of former customers tied to the cybersecurity incident, including U.S.-based customers who did not pursue their claims in arbitration.

The debtor, now calling itself Chrome Holding Co., is also fighting a **lawsuit** from the state of California over the data breach. The company **argues** the claims raised in the lawsuit are virtually identical to those subject to the state's proofs of claim in the bankruptcy case.