



David J. Berger
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David Berger is a partner in the litigation department of Wilson Sonsini Goodrich & Rosati. He is a leader in the firm's mergers and acquisitions litigation practice, and is a member of the firm's Policy Committee. David specializes in the areas of corporate governance, fiduciary duties of directors, merger and acquisitions, and securities litigation.

David represented Hewlett-Packard in its successful proxy contest to acquire Compaq, and also tried the case of Walter Hewlett v. Hewlett-Packard Corp. in the Delaware Chancery Court, which resulted in a complete victory for Hewlett-Packard. David also is representing Ameritrade in its merger with TD Waterhouse, and represented J.D. Edwards in its merger with PeopleSoft and in its response to Oracle's hostile tender offer. Additionally, David serves as counsel to the New York Stock Exchange's Proxy Working Group, and has represented a number of institutional and other investors, as well as directors, in proxy contests and other challenges arising from control issues.

David began his career at New York's Weil Gotshal & Manges, where he worked on a number of the leading takeover cases of the late 1980s.

EDUCATION:

J.D., Duke University School of Law, 1987

B.A., History, Duke University, 1982 *Magna Cum Laude*

HONORS:

Selected for inclusion in the 2007 edition of The Legal 500 US

Martin Luther King Jr. Visionary Award, Lawyers' Committee on Civil Rights

AV Peer Review Rating, Martindale-Hubbell

SELECT PUBLICATIONS:

- Co-author with Ignacio E. Salceda, "Chancery Court Decisions Limit Access to Corporate Records in Going-Private Transaction and Following Derivative Suit," *Wall Street Lawyer*, Vol. 10, No. 12, December 2006
- Co-author with the Honorable Leo E. Strine, Jr., "Win Lose or Draw—Director Choice in a Litigious World," *Duke Directors' College*, March 2006
- Co-author with Trevor Chaplick and Robert Greene Sterne, "United States: Directors' Responsibility for Intellectual Property in U.S. Corporations," *IP Value* 2006, *Building and Enforcing Intellectual Property Value*, 2006
- More publications. Please see wsgr.com for a complete list of publications.