EXHIBIT D

BERMAN TABACCO

TODD A. SEAVER

A partner in the San Francisco office, Todd A. Seaver litigates both antitrust and investment-related matters, with a primary focus on developing and litigating antitrust cases. He has tried an antitrust class action to a jury verdict, and led the day-to-day management of one of the largest antitrust class actions in history. Mr. Seaver has litigated antitrust cases involving varied industries of high-tech, pharmaceuticals, autos, financial derivatives, domestic and international bonds, chemicals, consumer electronics, biotech, diamonds and online retailing. He leads the firm's antitrust practice group, marshalling the firm's extensive investigative resources and then litigating the cases.

Currently, Mr. Seaver is co-lead counsel for consumer plaintiffs in an antitrust class action against American Express, *Moskowitz v. American Express Co*., No. 1:19-cv-00566-NGG (E.D.N.Y.). The action is at the forefront of the payments industry that is now shaped by the landmark ruling in *Ohio v. American Express Co.*, 138 S. Ct. 2274 (2018), in which the U.S. Supreme Court articulated a new analytical framework for so-called "two-sided" transaction markets. Mr. Seaver served as lead trial counsel in a three-week jury trial which resulted in a mixed verdict in August 2025. The case has reached a post-verdict settlement.

Mr. Seaver is currently co-lead counsel for self-funded health plans in three landmark antitrust class actions involving pharmaceuticals: (1) representing Sheet Metal Workers of Southern California, Arizona and Nevada in the U.S. District Court for the Northern District of Illinois alleging AbbVie, Inc. engaged in a bundled rebate scheme involving the six largest Pharmacy Benefit Managers to suppress biosimilar competition in 2024 and 2025 for AbbVie's biologic drug Humira, the highest revenue-grossing drug in history; (2) representing Massachusetts Laborers' Health and Welfare Fund against pharmaceutical manufacturer Boehringer in a multi-district litigation consolidated in Massachusetts federal court, alleging Boehringer delayed generic competition for two inhaler drug products by unlawfully listing device patents in the FDA "Orange Book;" and (3) representing several self-funded union health plans against pharmaceutical manufacturer Teva for delaying generic competition for QVAR, another inhaler product, by unlawfully listing device patents in the Orange Book. The QVAR case has reached a settlement whereby Teva agrees to pay $35 million and de-list six device patents from the Orange Book.

Mr. Seaver is also presently counsel for plaintiffs and represents California State Teachers' Retirement System (CalSTRS) in the Euribor (*Sullivan v. Barclays PLC, et al.*, No. 13-cv-2811 (S.D.N.Y.)) and Yen Libor (*Laydon v. Mizuho Bank, Ltd.*, No. 1:12-cv-03419 (GBD) (S.D.N.Y.), and *Sonterra Capital Master Fund, Ltd. v. UBS AG*, No. 1:15-cv-05844 (GBD) (S.D.N.Y)) antitrust cases involving Wall Street banks' manipulation of interest rate benchmarks and bid-ask spread price fixing on interest rate derivatives.

Mr. Seaver also represented Orange County Employees' Retirement System (OCERS) in an antitrust class action (*Dennis v. JP Morgan Chase & Co*., No. 16-cv-06496-LAK (S.D.N.Y)) alleging that U.S., European, and Australian banks manipulated the interest rate benchmark used to price derivatives that were denominated in Australian dollars and sold to U.S. investors that recently settled for $185 million He also represented Fresno County Employees' Retirement Association (FCERA) in *In re Foreign Exchange Benchmark Rates Antitrus*t Litigation, No. 13-cv-07789 (S.D.N.Y.), an antitrust class action against Wall Street banks for manipulating a foreign currency exchange rate benchmark and fixing bid-ask spreads on trillions of dollars of foreign currency exchange transactions.

Mr. Seaver led the plaintiffs' efforts in *In re New Motor Vehicles Canadian Export Antitrust Litigation*, No. 03-md-1532 (D. Me.), in which Berman Tabacco was lead counsel. The case alleged that major auto manufacturers unlawfully conspired to stop the export of cheaper new Canadian vehicles into the United States for use or resale. The federal case ended in 2009. Mr. Seaver was one of the lead partners for the firm in California state court, captioned *In re Automobile Antitrust Cases I and II*, JCCP Nos. 4298 and 4303 (San Francisco Superior Court), which recently settled with the last remaining defendant, Ford Canada, for $82 million, bringing the total settlement in this action to $137.85 (including three prior settlements of $55.85 million for class members in the federal and California actions, which have been approved). The Court approved the $82 million settlement on October 31, 2022.

Mr. Seaver also had a leading role in several cases, including, *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-2420-YGR (N.D. Cal.), where the firm was co-lead counsel for direct purchaser plaintiffs. Settlements were reached totaling $139.3 million for the direct purchaser class (final approval on the last three settlements was granted on May 16, 2018). The lawsuit alleged that defendants, including LG, Panasonic, Sony, Hitachi and Samsung, participated in a conspiracy to fix the prices of lithium ion rechargeable batteries, which affected the prices paid for the batteries and certain products in which the batteries were used and which the defendants sold. Mr. Seaver argued and defeated motions to dismiss and deposed fact witnesses and defendants' expert economist and made the oral argument in opposition to defendants' *Daubert* motions to exclude plaintiffs' expert economist's opinions at class certification.

Mr. Seaver led efforts for the firm in an action against Netflix and Wal-Mart, *In re Online DVD Rental Antitrust Litigation*, in which Berman Tabacco was among lead counsel. He was responsible for managing many aspects of discovery, class certification and summary judgment, as well as for achieving partial settlement with defendant Wal-Mart. He successfully argued in Ninth Circuit Court of Appeals for that case on an issue of first impression regarding the Class Action Fairness Act and settlements involving a mix of cash consideration and electronic store gift cards. He was also one of the lead counsel in *In re Optical Disk Drive Antitrust Litigation* and also worked on a number of the firm's high-profile cases including *Cardizem CD*, still the leading generic drug competition case, which settled in 2003 for $80 million. In the Cardizem CD case, Berman Tabacco was co-lead counsel representing health insurer Aetna in an antitrust class action and obtained a pioneering ruling in the federal court of appeals regarding the "reverse payment" by a generic drug manufacturer to the brand name drug manufacturer. In a first of its kind ruling, the appellate court held that the brand name drug manufacturer's payment of $40 million per year to the generic company for the generic to delay bringing its competing drug to market was a per se unlawful market allocation agreement. Today that victory still shapes the ongoing antitrust battle over competition in the pharmaceutical market.

Mr. Seaver spearheaded the landmark case against the major credit rating agencies (Standard & Poor's and Moody's), *California Public Employees' Retirement System v. Moody's Corp.*, No. CGC-09-490241 (Cal. Super. Ct. San Francisco Cnty.). The case, filed on behalf of the nation's largest state pension fund, the California Public Employees' Retirement System (CalPERS), was groundbreaking litigation that held the rating agencies financially responsible for negligent misrepresentations in rating structured investment vehicles. Moody's and Standard & Poor's agreed to pay a total of $255 million ($130 million and $125 million, respectively) to settle CalPERS' claim that "Aaa" ratings on three SIVs were negligent misrepresentations under California law. This case was groundbreaking in that (i) the settlements rank as the largest known recoveries from Moody's and S&P in a private lawsuit for civil damages; and (ii) it resulted in a published appellate court opinion finding that rating agencies can, contrary to decades of jurisprudence, be liable for negligent misrepresentations under California law for their ratings of privately-placed securities.

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Mr. Seaver was previously associated with the law firm Devine, Millimet & Branch, P.A., where he practiced commercial litigation. He was an adjunct Professor of Law with the New England School of Law in 2003, teaching Appellate Advocacy.

Mr. Seaver is a member of the American Bar Association's Antitrust Section and served a two-year term on the executive committee (2012-2014). He is also a member of the Advisory Board of the American Antitrust Institute

Mr. Seaver was ranked by *Benchmark Litigation* as a *California Litigation Star* (2022-2026), *Local Litigation Star* (2019-2020, 2022-2026), and *Noted Star* (2019-2026) in *Plaintiff Work* and *Securities California*, and as a *California Future Star* (2020-2021). He was recognized by *The Best Lawyers in America®* for *Litigation-Antitrust* (2026) and *Mass Tort Litigation/Class Actions–Plaintiffs* (2026). He was also recognized as a *Recommended Attorney* by *The Legal 500* (U.S. edition) in *Antitrust* (2019-2025) and *Securities Litigation* (2017-2018). In 2020, *The Legal 500* reported a client's praise for Mr. Seaver stating that he "displays deep knowledge of specialized finance." He was also named a *Super Lawyer* by *Northern California Super Lawyers Magazine* (2017-2025). He has also been recognized by *Lexology Index* (formerly *Global Competition Review's Who's Who Legal*) in *Competition* (2017-2023). *Lexology Index* also named Mr. Seaver a *Thought Leader* in Competition (2019-2020, 2022-2024) and a *Thought Leader: USA* (2023-2024). He was selected by *Lawdragon* for its *500 Leading Plaintiff Financial Lawyers* guide (2019-2025), as featured in *Lawdragon's The Plaintiff Issue* magazine.

Mr. Seaver graduated *magna cum laude* from Boston University in 1994 with a B.A. in International Relations. He earned a M.Sc. (Econ) from the London School of Economics in 1995 and graduated *cum laude* from the American University Washington College of Law in 1999. While in law school, Mr. Seaver served as a law clerk at the Federal Trade Commission's Bureau of Competition and as a judicial extern for the Honorable Ricardo M. Urbina, U.S. District Court for the District of Columbia.

Mr. Seaver is a member in good standing in the Commonwealth of Massachusetts, the states of California and New Hampshire, as well as the U.S. District Courts for the District of Massachusetts, the District of New Hampshire, and the Northern, Eastern, Central and Southern Districts of California.