

Shareholder Activism

BBLJ Symposium – April 4, 2014

Resources

RESOURCES

[Pills and Partisans: Understanding Takeover Defenses](#)

Jordan M. Barry, John William Hatfield

[What Matters in Corporate Governance?](#)

Lucian Bebchuck, Alma Cohen, Allen Ferrell

[Shareholder Activism: An Overview](#)

Jaspreet Mann, J.D. Candidate '16, Berkeley Business Law Journal Editor

Articles included in this paper are:

[Shareholder Activism](#), European Corporate Governance Institute (ECGI)

[Ten Rules for Dealing with Activist Shareholders](#), Thomas W. Christopher, Yi Claire Sheng *The M&A Journal*, Kirkland & Ellis.

[When Shareholder Activism Goes Too Far](#), James Surowiecki, *The New Yorker*.

[Activism is Going Global Citi Warns Clients](#), David Gelles, *The New York Times*.

[Full Contact Investing: Activist Shareholder Get Engaged](#), William Donovan, *About.com*.

[Corporate Upgraders](#), *The Economist*.

[Boardrooms Rethink Tactics to Defang Activist Investors](#), David Gelles, *The New York Times*.

[A Quick and Dirty History of Shareholder Activism](#)

Tony Huynh, J.D. Candidate '16, Berkeley Business Law Journal Editor

Articles included in this paper are:

[The History of Shareholder Activism](#), Lucian Bebchuk, Beth Young.

[The Evolution of Shareholder Activism in the United States](#), Stuart Gillian, Laura Starks.

[Shareholder Activism and the Increase of Shareholder Value](#)

Tony Huynh, J.D. Candidate '16, Berkeley Business Law Journal Editor

Articles included in this paper are:

[A Label for Activist Investors That No Longer Fits](#), Steven M. Davidoff, *The New York Times*.

[Hedge Funds versus Private Equity Funds as Shareholder Activists in Germany –](#)

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[Differences in Value Creation](#), Denis Schweizer, Mark Mietzner.

[How Activist Shareholders Turn from Villains Into Heroes](#), *The Economist*.

[Debunking Myths About Activist Investors](#), Chuck Nathan, *RLM Finsbury Commentaries on Corporate Governance*.

[Icahn, Time Warner End Fight](#), Steven Levingston, *The Washington Post*.

[Icahn, and Time Warner Reach a Truce](#), *The Economist*.

[Bill Ackman's Costly Defeat Marks End of an Era for J.C. Penney](#), Kim Bhasin, *The Huffington Post*.

[REPORT: Ackman Is Going To End His Push To Replace JCPenney CEO Mike Ullman](#), Julia La Roche, *Business Insider*.

[SEC Adopts New Measures to Facilitate Director Nominations by Shareholders](#), U.S. Securities and Exchange Commission.

[Activist Investors Cause Headaches for Boards, Boost Value for Stockholders](#), Steve Brooks, *Texas Enterprise*.

[The Upcoming Showdown on Shareholder Proxy Access](#), Guhan Subramanian, Bo Becker, Daniel Bergstresser, *The Huffington Post*.

Ongoing Cases in Shareholder Activism

Anna Galinksa, LLM Candidate '14, Berkeley Business Law Journal Editor

Articles included in this paper are:

[P&G, Apple, Microsoft: Activists Go Big With Small Stakes](#), Maureen Farrell, *The Wall Street Journal*.

[Juniper Networks, Under Pressure, Unveils Buyback and Dividend Plan](#), Don Clark, David Benoit, *The Wall Street Journal*.

[Carl Icahn Softens Stance on Apple's Cash](#), David Benoit, *The Wall Street Journal*.

[Apple Buys Back \\$14 Billion of Shares in Two Weeks Since Results](#), *Reuters*.

[Apple Gives up Apple Buyback Plan After ISS Urges "No" Vote](#), Jennifer Ablan, *Reuters*.

[Jeffrey Ubben's ValueAct Scores in Good Year for Activists](#), Stephen Taub, *Institutional Investor's alpha*.

[Activist Storms Microsoft's Board](#), Shira Ovide, *The Wall Street Journal*.

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[Dan Loeb Takes a Stake in Dow Chemical](#), Maureen Farrell, *The Wall Street Journal*.

[Dow Chemical Lands in Hedge Fund's Sights](#), David Benoit, Ben Lefebvre, *The Wall Street Journal*.

[Dow Chemical Rejects Loeb's Call for Company to Split](#), David Benoit, *The Wall Street Journal*.

[Hertz Enacts Poison Pill](#), John Kell, *The Wall Street Journal*.

[Aeropostale Adopts Poison Pill](#), Michael Calia, *The Wall Street Journal*.

Shareholder Activism as Means to Promote Good Corporate Governance

Myriam Denis, J.D. Candidate '16, Berkeley Business Law Journal Editor

Articles included in this paper are:

[Why Does Board Gender Diversity Matter and How Do We Get There? The Role of Shareholder Activism in Deinstitutionalizing Old Boys' Networks](#), Elise Perrault, *Journal of Business Ethics*

[Women in the Boardroom and their Impact on Governance and Performance](#), Renee B. Adams, Daniel Ferreira, *Journal of Financial Economics*

[Corporate Board Gender Diversity and Stock Performance: The Competence Gap or Institutional Investor Bias?](#), Frank Dobbin & Jiwook Jung, *North Carolina Law Review*

[Derivative Actions Based on FCPA Violations: The Case of Wal-Mart de Mexico](#), May Orenstein, NYSE Governance Services Corporate Board Member

[Pension Plan Sues Wal-Mart Officials Over Failures](#), Stephanie Clifford, *New York Times*

[Putting Stock in Sustainability](#), Brooke Jarvis, *Ensisia*.

[Investors Press Continental Resources to End Wasteful Flaring of Natural Gas](#), Ceres.

[McDonald's Will Ditch Polystyrene for Paper Coffee Cups](#), Robert Kropp, *GreenBiz.com*.

ADDITIONAL RESOURCES

[Bitter Medicine in Store for Activists](#), Lizz Hoffman, *The Wall Street Journal*.

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[Ralph Nader Adds Shareholder Activist to His Portfolio](#), David Benoit, *The Wall Street Journal*.

[Activist Investors Gain in M&A Push](#), Dana Mattioli, Dana Cimilluca, *The Wall Street Journal*.

[New Push to Throw Assets Overboard](#), David Benoit, *The Wall Street Journal*.

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[Icahn Tries Unique Path to Split eBay: A Shareholder Vote Martin Lipton: Poison Pills are 'Critical in the Face of Increased Activism'](#), Liz Hoffman, *The Wall Street Journal*.

[As Shareholder Fights Heat up, Activists Aim at Bigger Targets](#), Steven M. Davidoff, *The New York Times*.