Mastering Shareholder Litigation: Strategies and Procedures

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Madrid (Spain)



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Why This Course

In today's corporate environment, shareholder litigation has become a significant mechanism for challenging governance failures, securities-related misconduct, and management decisions that may harm shareholder interests. Derivative suits and class actions require a strong understanding of procedural rules, strategic litigation choices, and the broader governance issues that often give rise to these disputes. Legal professionals must therefore be equipped to assess risk, manage complex proceedings, and respond effectively across multiple forums and stages of litigation.

This intensive 1-week course provides a comprehensive overview of shareholder litigation, focusing on derivative suits and class actions. Participants will gain in-depth knowledge of legal frameworks, procedural requirements, and strategic considerations in corporate disputes. The course covers case analysis, litigation strategies, and practical skills for managing shareholder suits effectively.

What You'll Learn and Practice

By joining this program, you will:

- Understand the legal basis and procedural requirements for shareholder derivative actions and class suits.
- Analyze key cases and emerging trends in shareholder litigation.
- Develop strategies for managing corporate governance issues and minimizing litigation risks.
- Master techniques for drafting complaints, motions, and other critical legal documents.
- Learn best practices for navigating the complexities of multi-jurisdictional litigation.
- Gain practical skills in negotiation and settlement of shareholder disputes.

The Program Flow

Day 1: Foundations of Shareholder Litigation

- Introduction to shareholder rights and corporate governance.
- Types of shareholder suits: derivative actions vs. direct claims.
- Legal framework and jurisdictional considerations.
- Standing requirements and the contemporaneous ownership rule.



Day 2: Derivative Actions in Depth

- Demand requirements and futility exceptions.
- The role of special litigation committees.
- Pleading standards and motion practice.
- Discovery challenges in derivative litigation.

Day 3: Class Action Suits and Securities Litigation

- Class certification requirements and procedures.
- Federal securities laws and their impact on shareholder suits.
- Fraud-on-the-market theory and its applications.
- Damages calculations and loss causation.

Day 4: Litigation Strategy and Risk Management

- Developing effective defense strategies.
- Managing parallel proceedings and multi-forum litigation.
- Corporate indemnification and D&O insurance considerations.
- Ethical issues in shareholder litigation.

Day 5: Settlement and Alternative Dispute Resolution

- Negotiation tactics in shareholder disputes.
- Structuring and approving settlements.
- Mediation and arbitration alternatives.
- Post-settlement issues and implementation.

Individual Impact

- Strengthen your ability to assess the merits and risks of potential shareholder suits.
- Enhance your skills in drafting effective legal documents for shareholder litigation.
- Build stronger strategic judgment in handling derivative actions and class claims.
- Gain greater confidence in negotiating and resolving shareholder disputes.

Work Impact

- Improve the organization's ability to manage shareholder litigation risk more effectively.
- Strengthen legal strategy across governance disputes, securities claims, and multi-forum proceedings.
- Support better advisory work on corporate governance practices and litigation prevention.
- Enhance settlement planning and dispute resolution outcomes in shareholder matters.



Training Methodology

This program integrates legal analysis, litigation strategy, and practical application to ensure real-world relevance and professional impact. Learning methods include:

- Real-world case studies on derivative actions, class suits, and securities litigation.
- Practical exercises in drafting complaints, motions, and litigation documents.
- Interactive workshops on strategy, jurisdiction, and risk management.
- Group discussions on governance disputes, ethical issues, and settlement approaches.
- Frameworks and tools for handling shareholder litigation more effectively.

Beyond the Course

Upon completion, participants will be better equipped to navigate shareholder litigation with greater precision, confidence, and strategic awareness. They will return ready to:

- Assess derivative and class action risks more effectively.
- Draft and manage shareholder litigation documents with greater skill.
- Advise on governance issues that may affect shareholder claims.
- Support stronger litigation strategy, negotiation, and settlement outcomes.

