

**U.S. DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES**

COLLEEN A. GRAHAM

COMPLAINANT,

v.

CREDIT SUISSE SECURITIES (USA) LLC
and SIGNAC LLC,

Respondents.

ALJ No. 2019-SOX-00040

**DECLARATION OF KUAN HUANG IN OPPOSITION TO
COMPLAINANT'S MOTION TO COMPEL AND FOR LEAVE TO AMEND**

I, Kuangyan Huang, declare as follows:

1. I am an attorney at Latham & Watkins LLP, counsel for Respondent Credit Suisse Securities (USA) LLC. This declaration is based on my personal knowledge.
2. Attached as Exhibit 1 is a true and accurate copy of the JAMS Final Award entered In the Matter of the Arbitration Between Colleen Graham and Credit Suisse First Boston Next Fund, Inc., Palantir Technologies, Inc., and Signac, LLC.
3. Attached as Exhibit 2 is a true and accurate copy of excerpts from Colleen Graham's Notice of Petition filed with the Supreme Court of the State of New York on March 8, 2019.
4. Attached as Exhibit 3 is a true and copy of excerpts from the transcript of a hearing before the Supreme Court of the State of New York on June 6, 2019.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: May 1, 2020

/s/ Kuangyan Huang
Kuangyan Huang

LATHAM & WATKINS LLP
885 Third Avenue
New York, New York 10022
Telephone: (212) 906-1200
Facsimile: (212) 751-4864

*Attorneys for Respondent Credit
Suisse Securities (USA) LLC*

Exhibit 1

JAMS Final Award

JAMS Reference No. 1425025009

In the Matter of the Arbitration Between

**COLLEEN GRAHAM, individually and
derivatively on behalf of SIGNAC, LLC,**

Claimant,

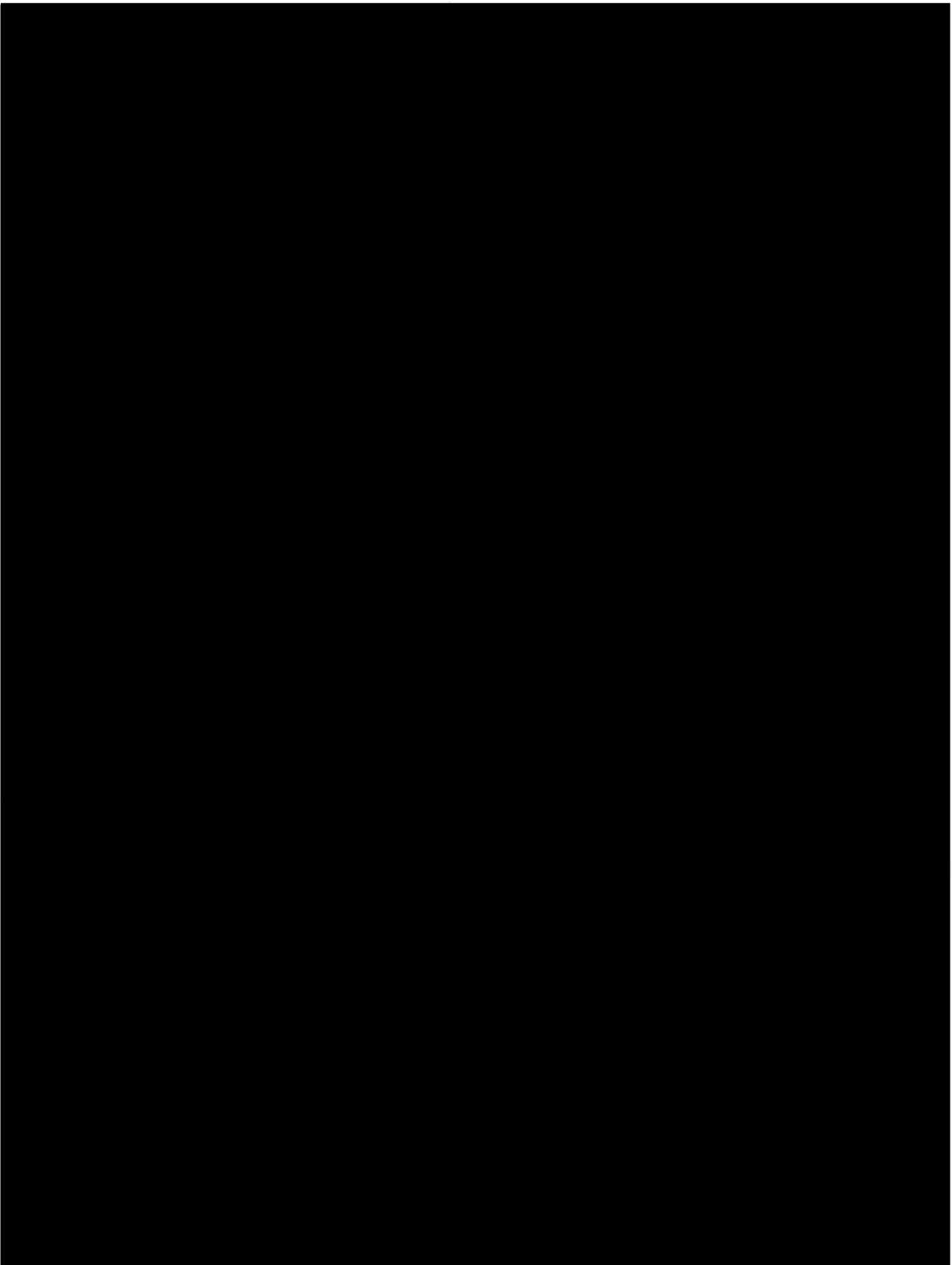
and

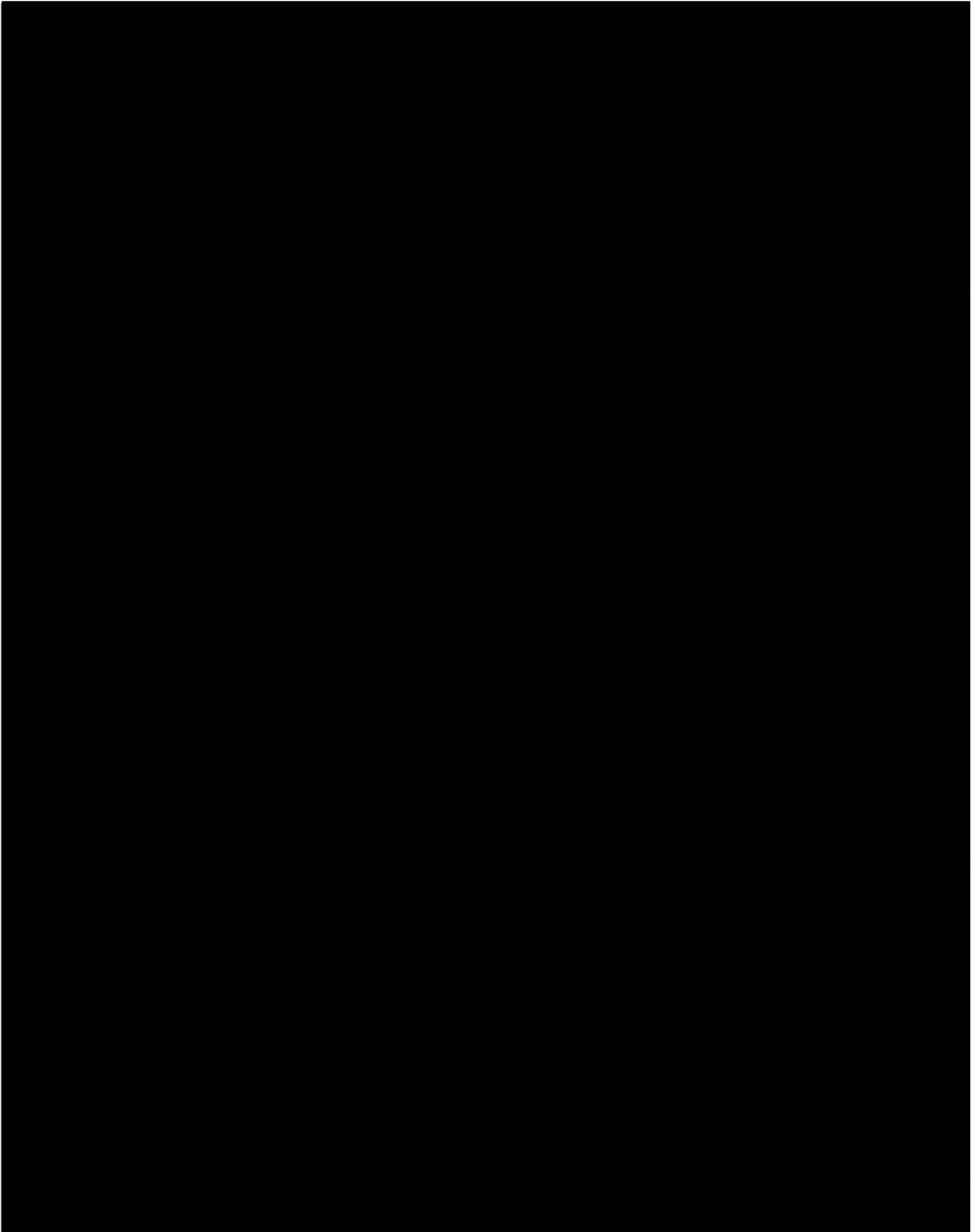
**CREDIT SUISSE FIRST BOSTON
NEXT FUND, INC., PALANTIR
TECHNOLOGIES, INC., and SIGNAC,
LLC,**

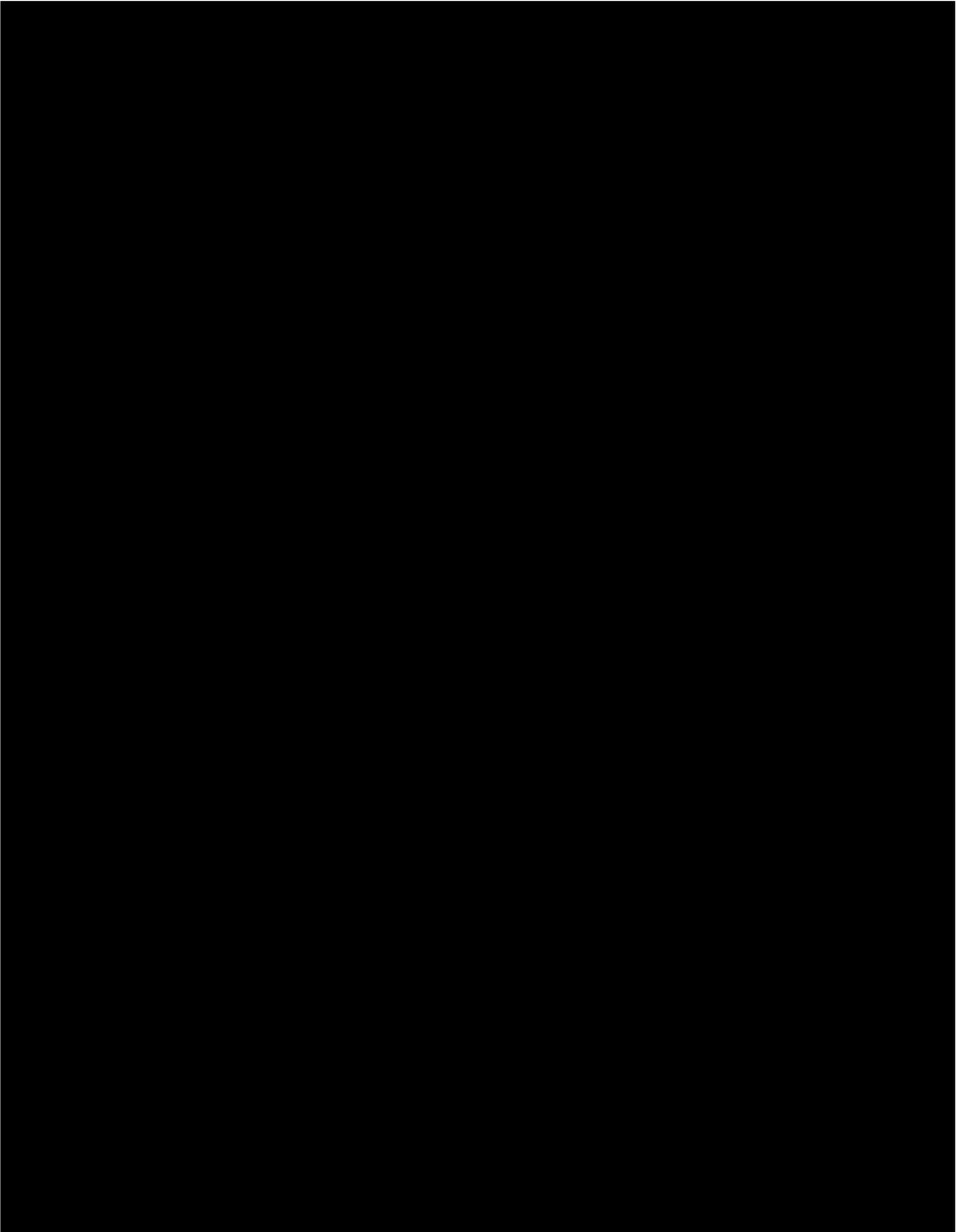
Respondents.

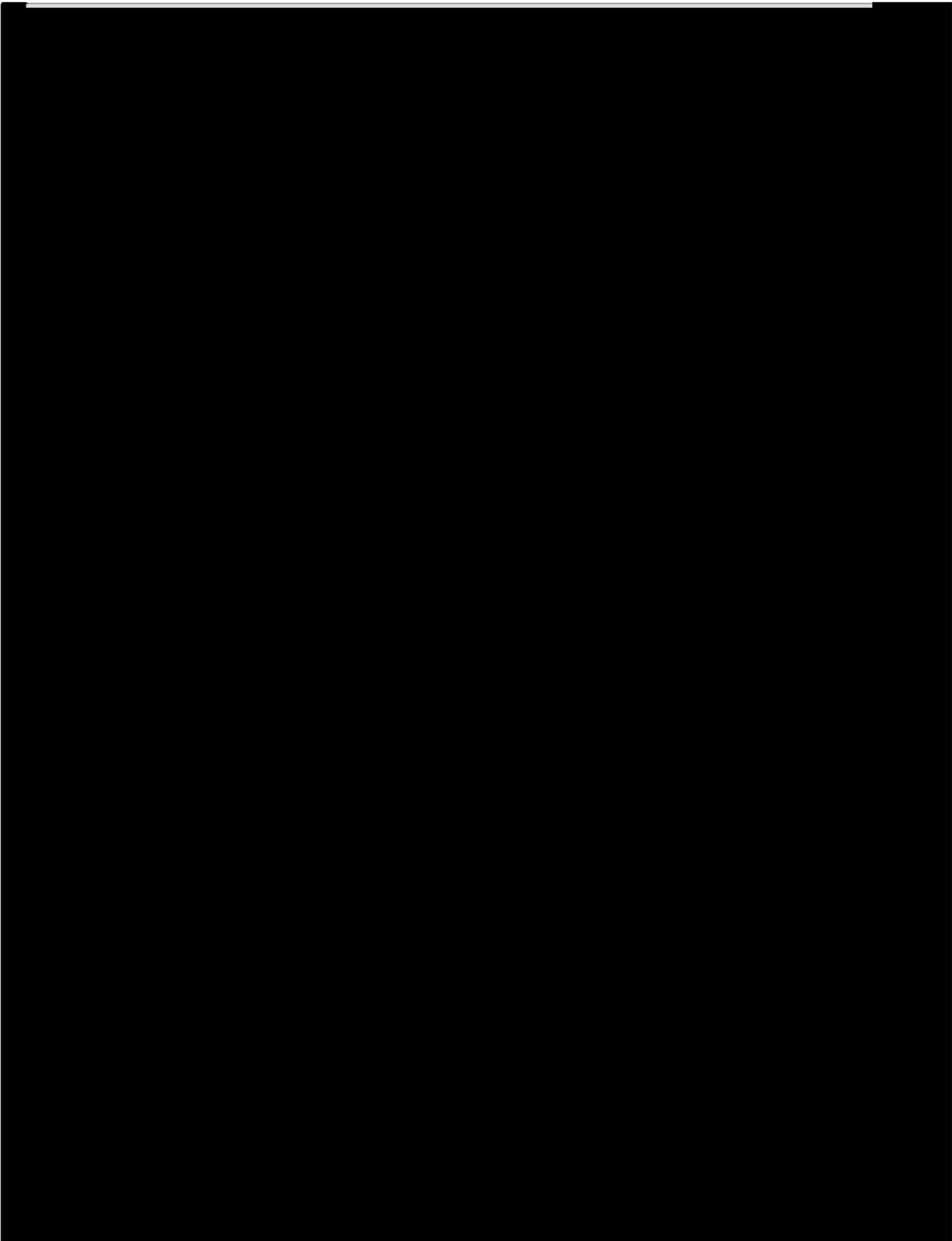
Final Award

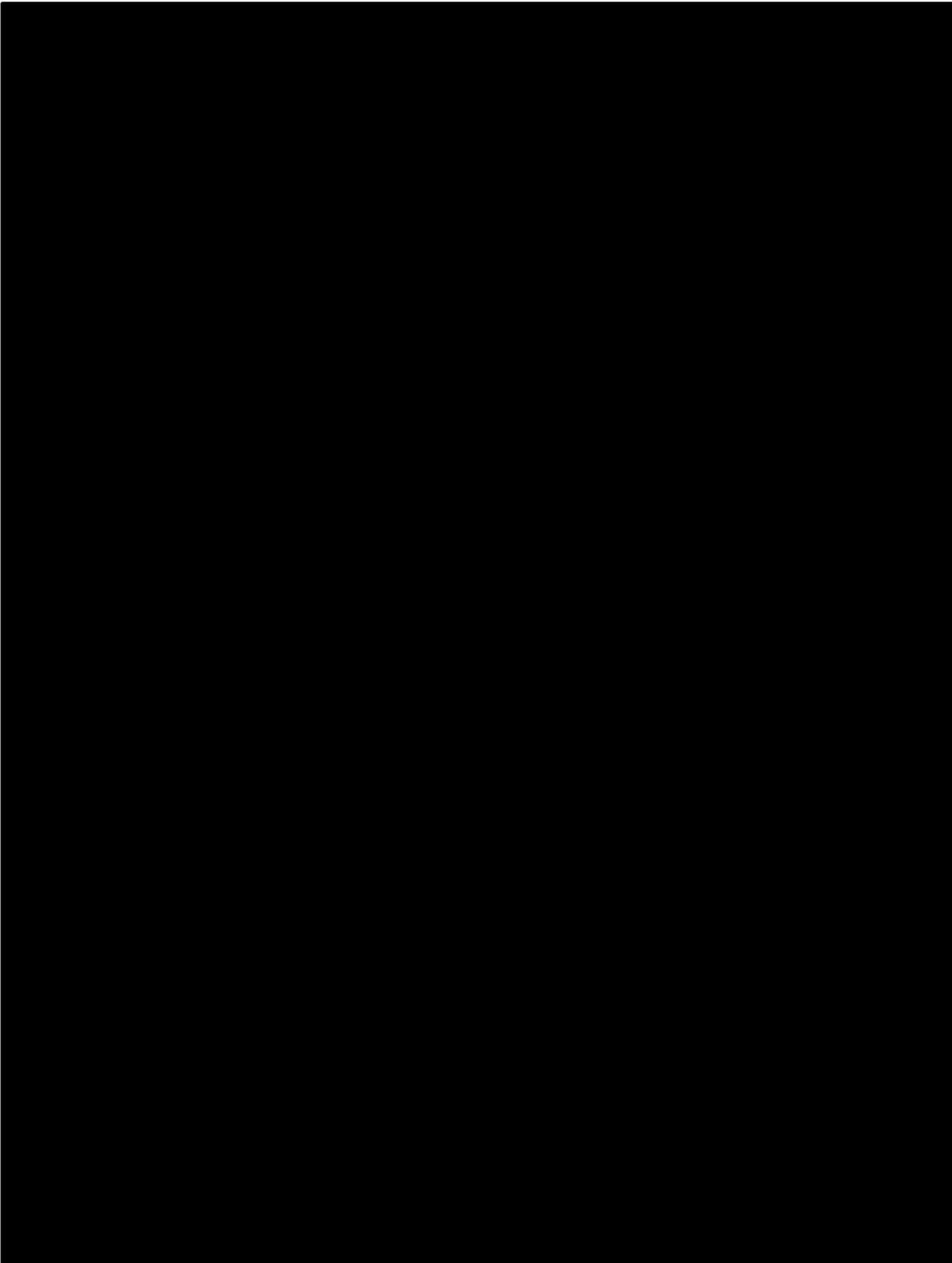


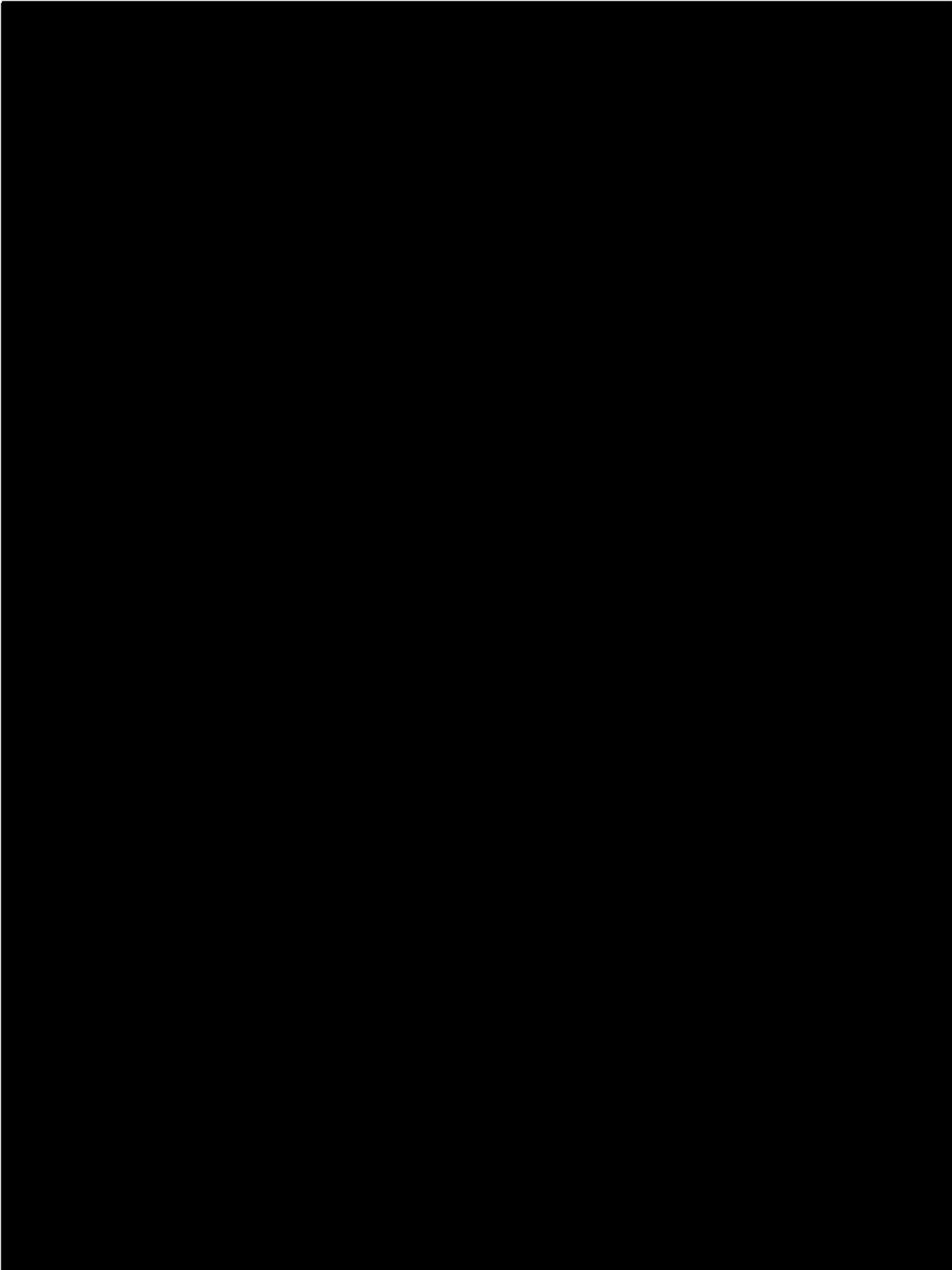


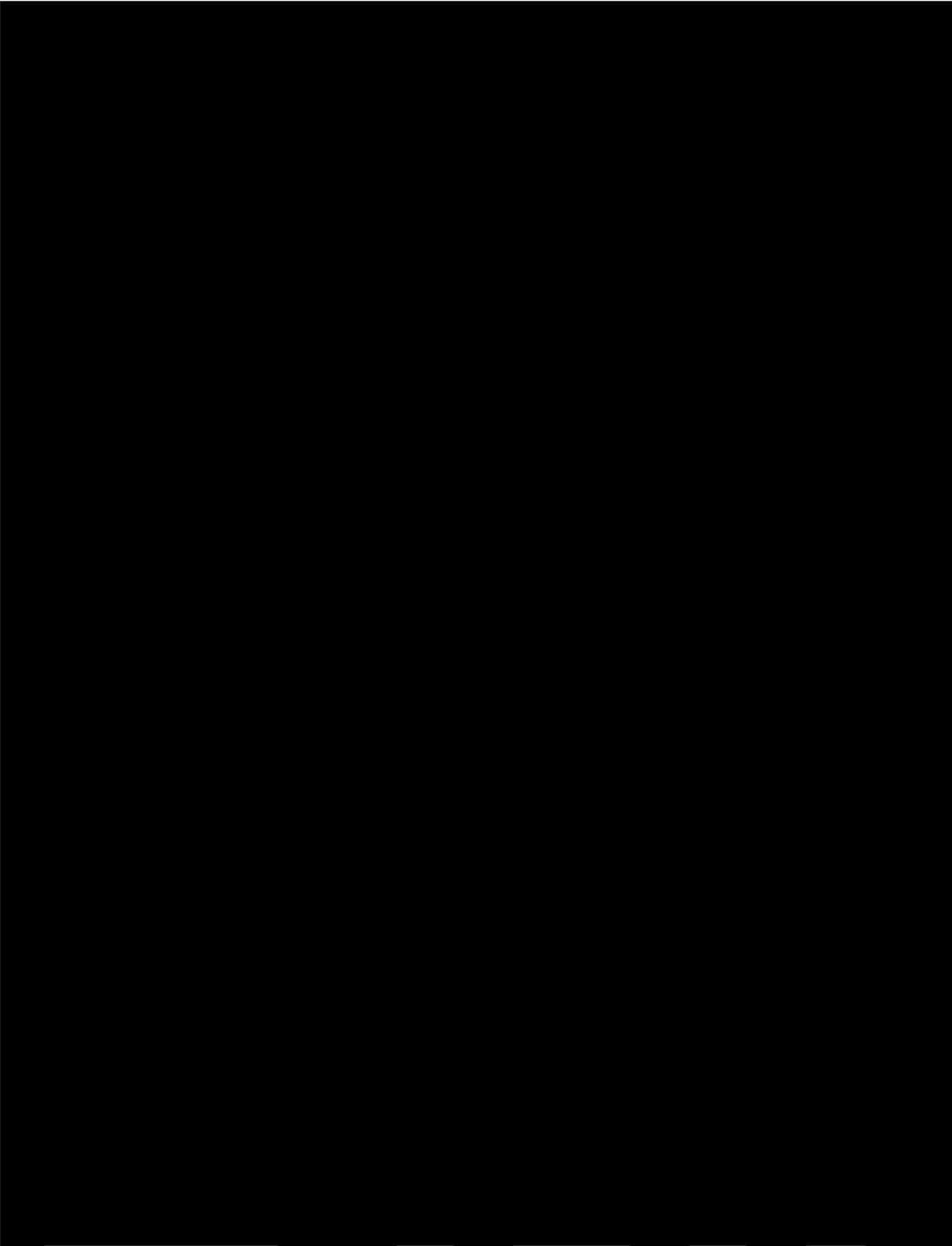


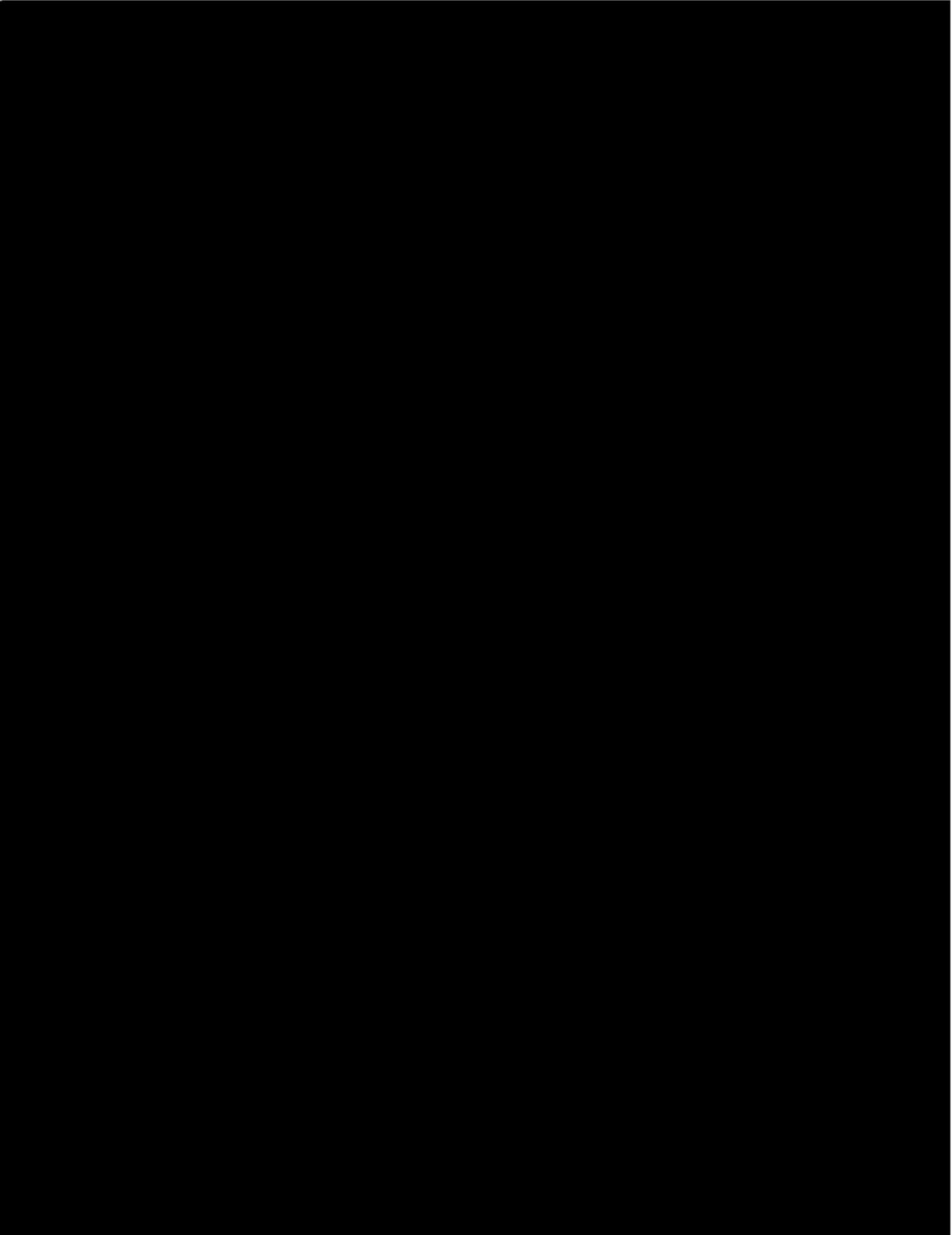


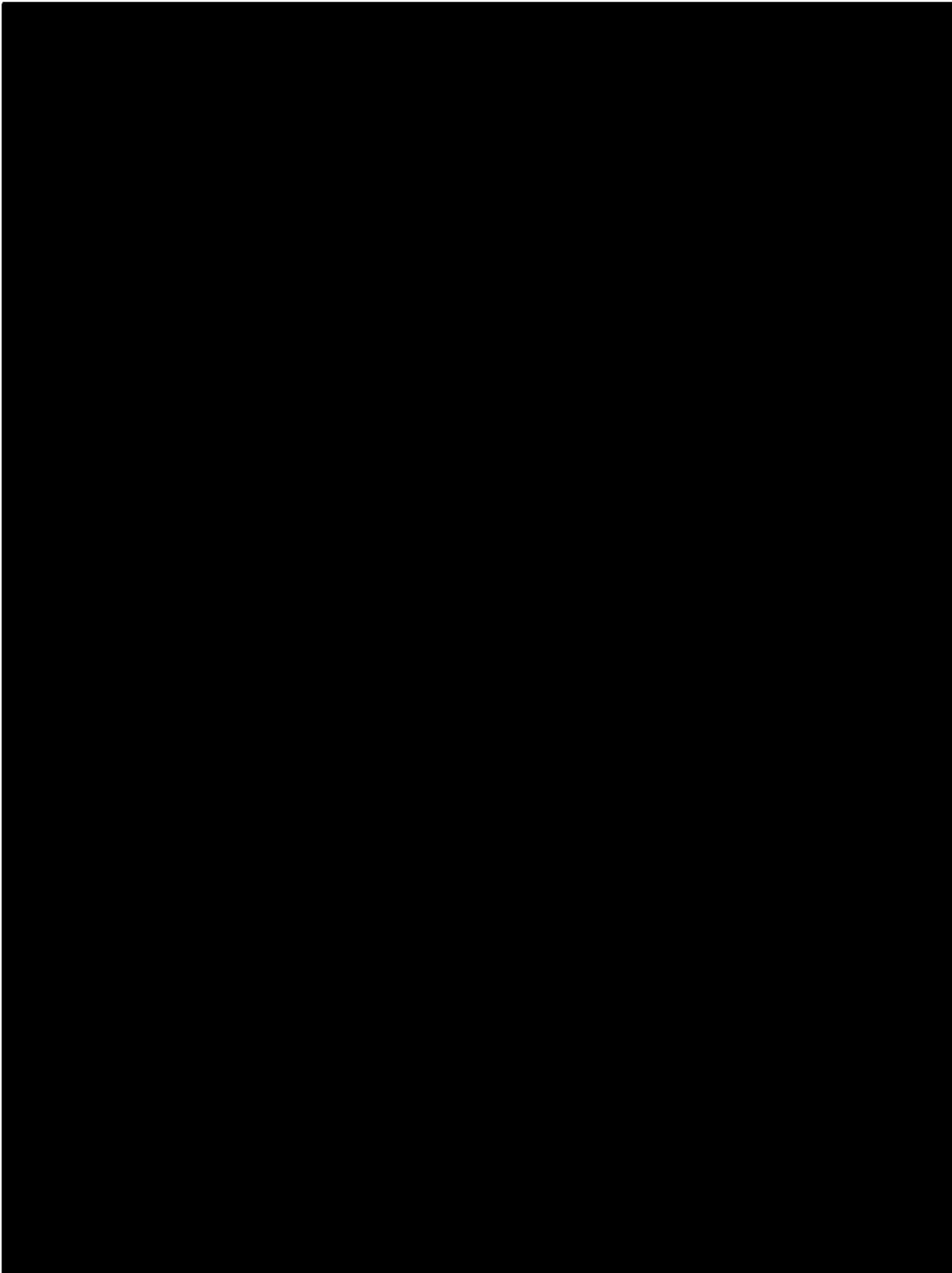


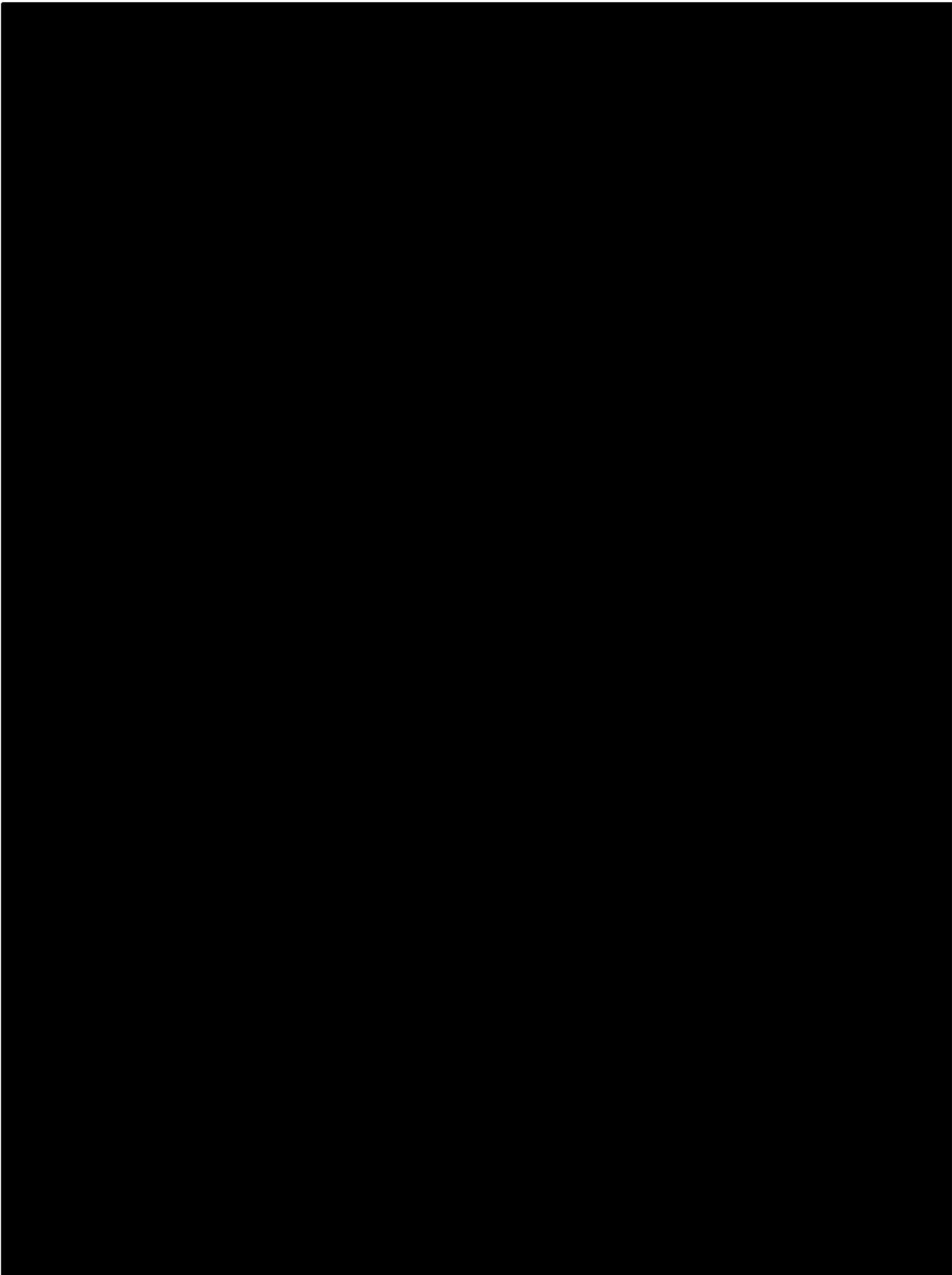


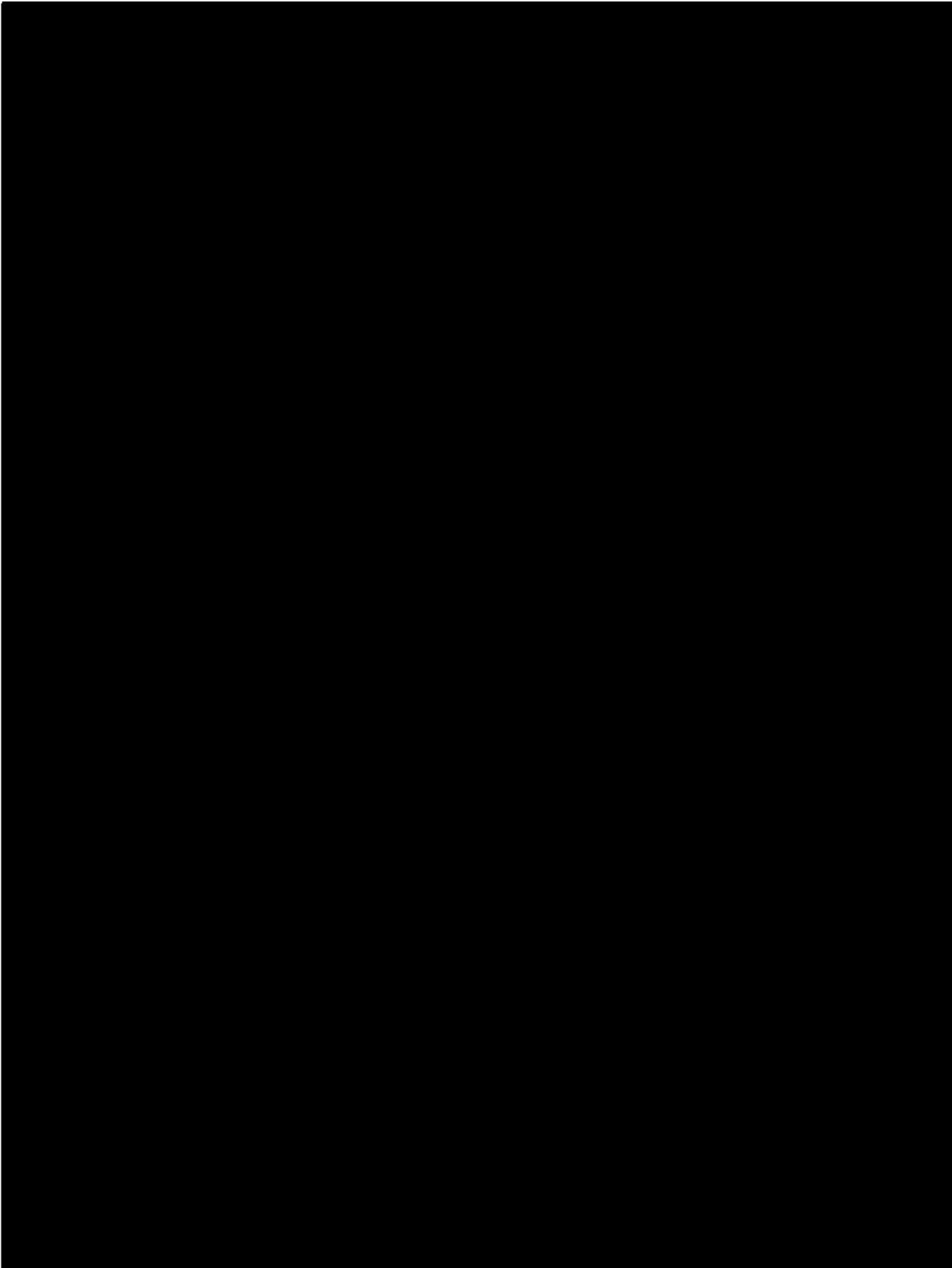


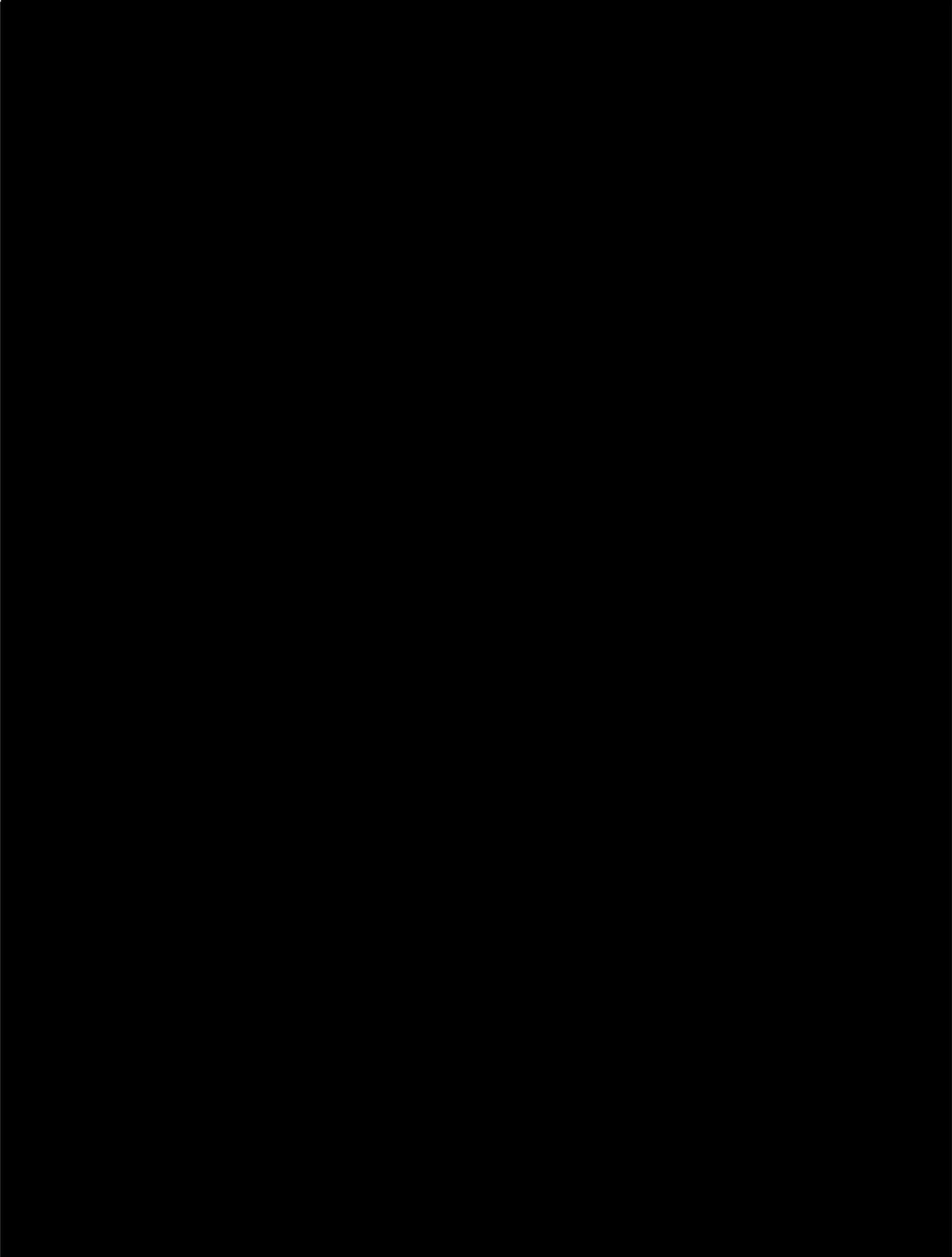


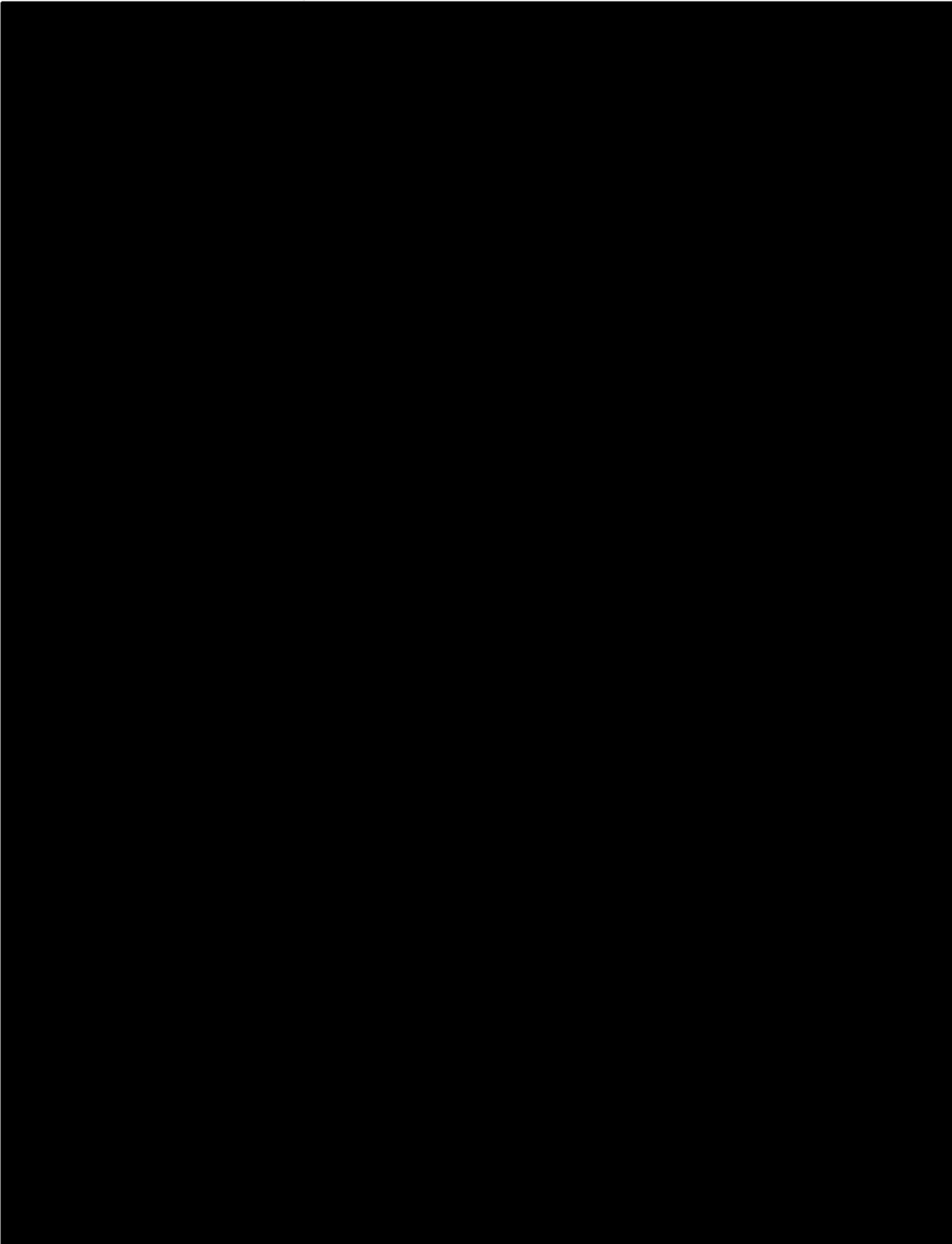


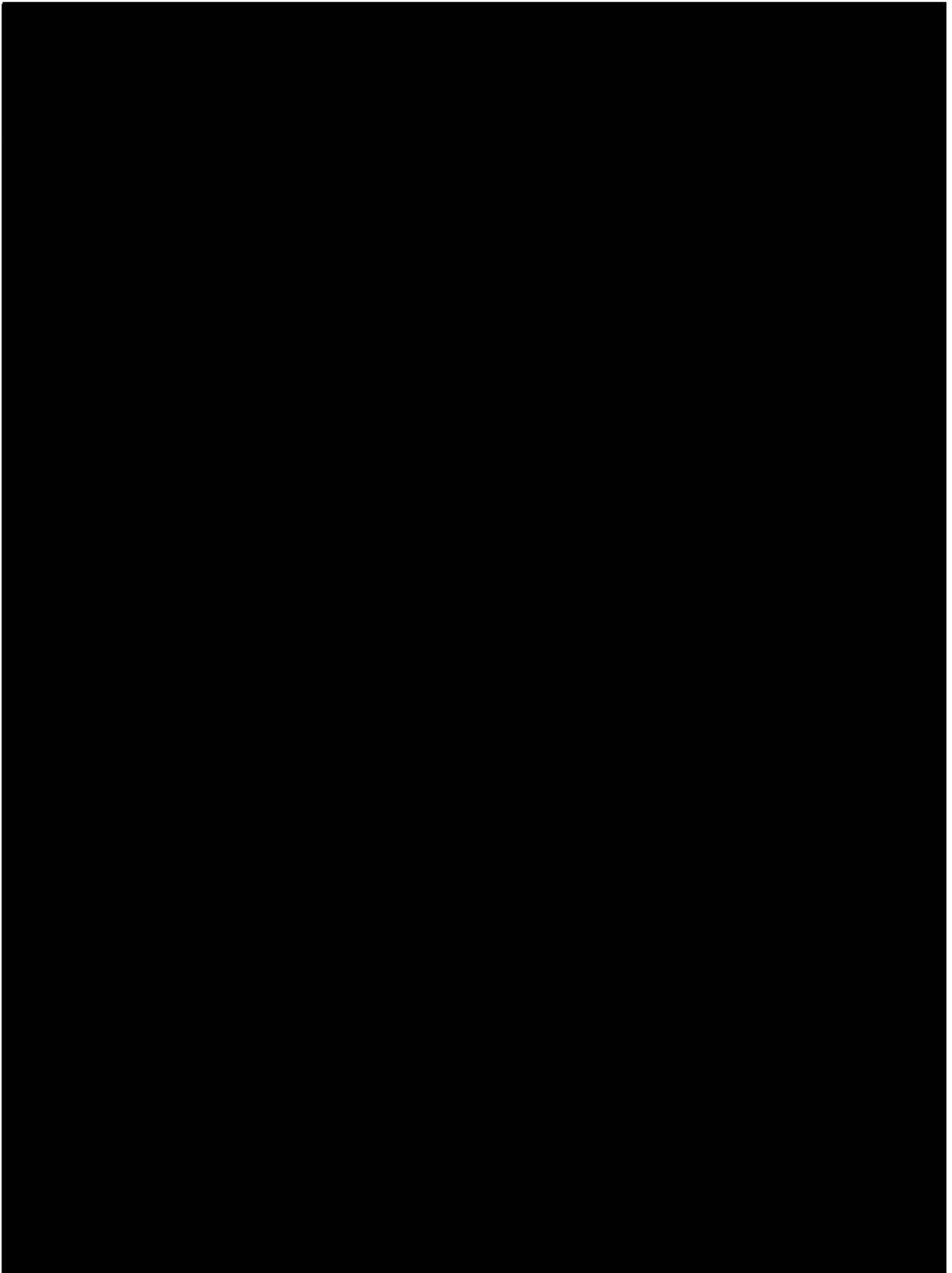


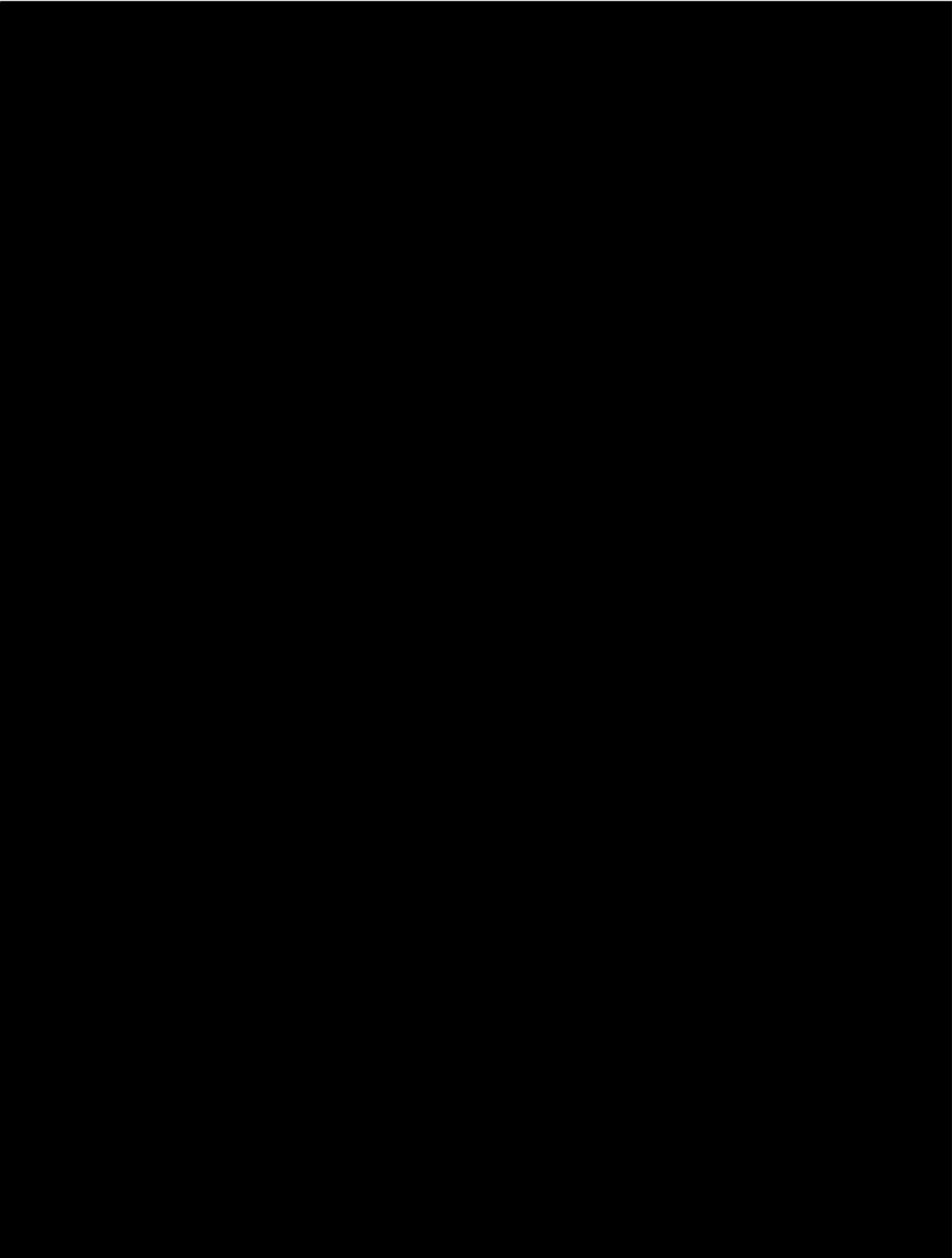


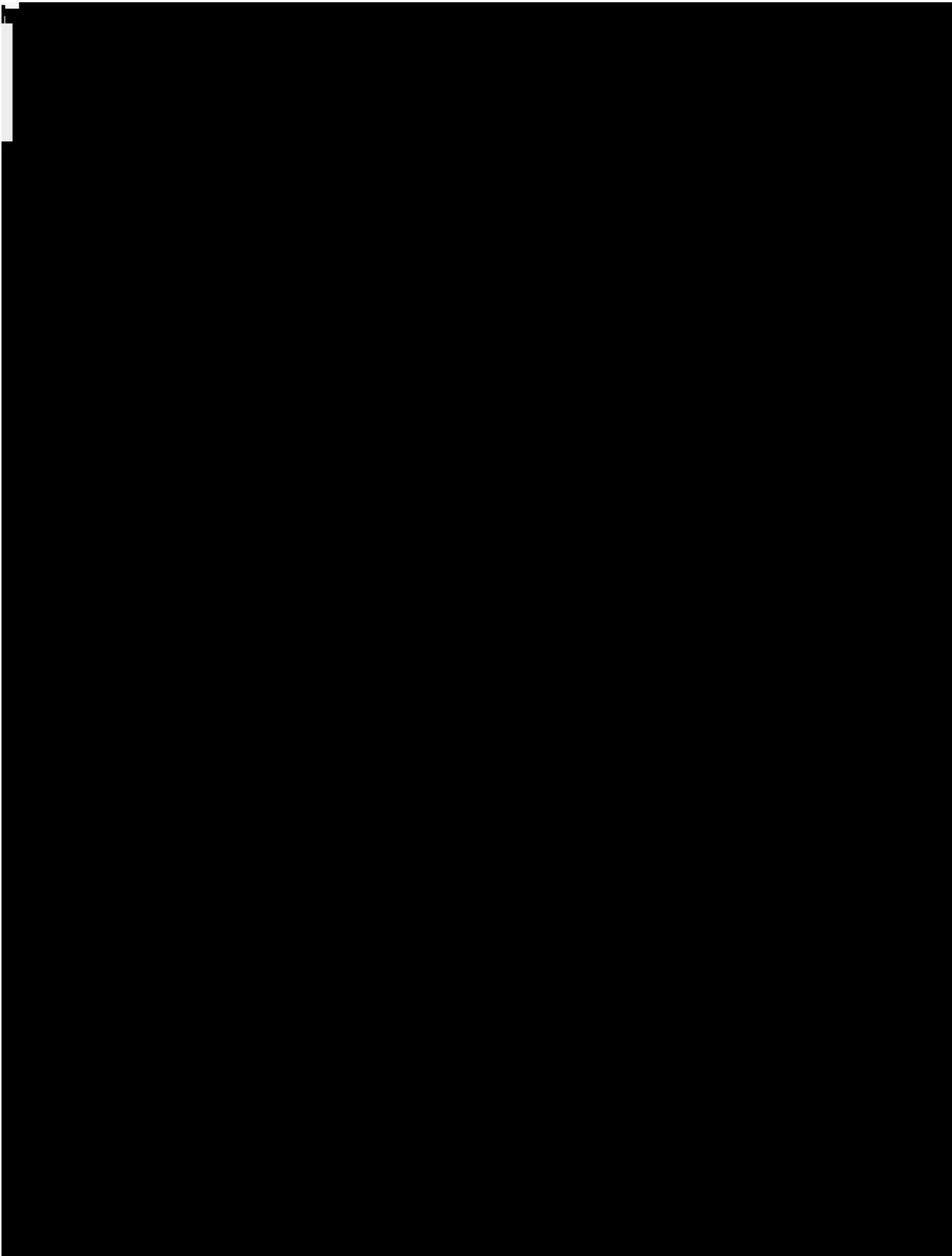


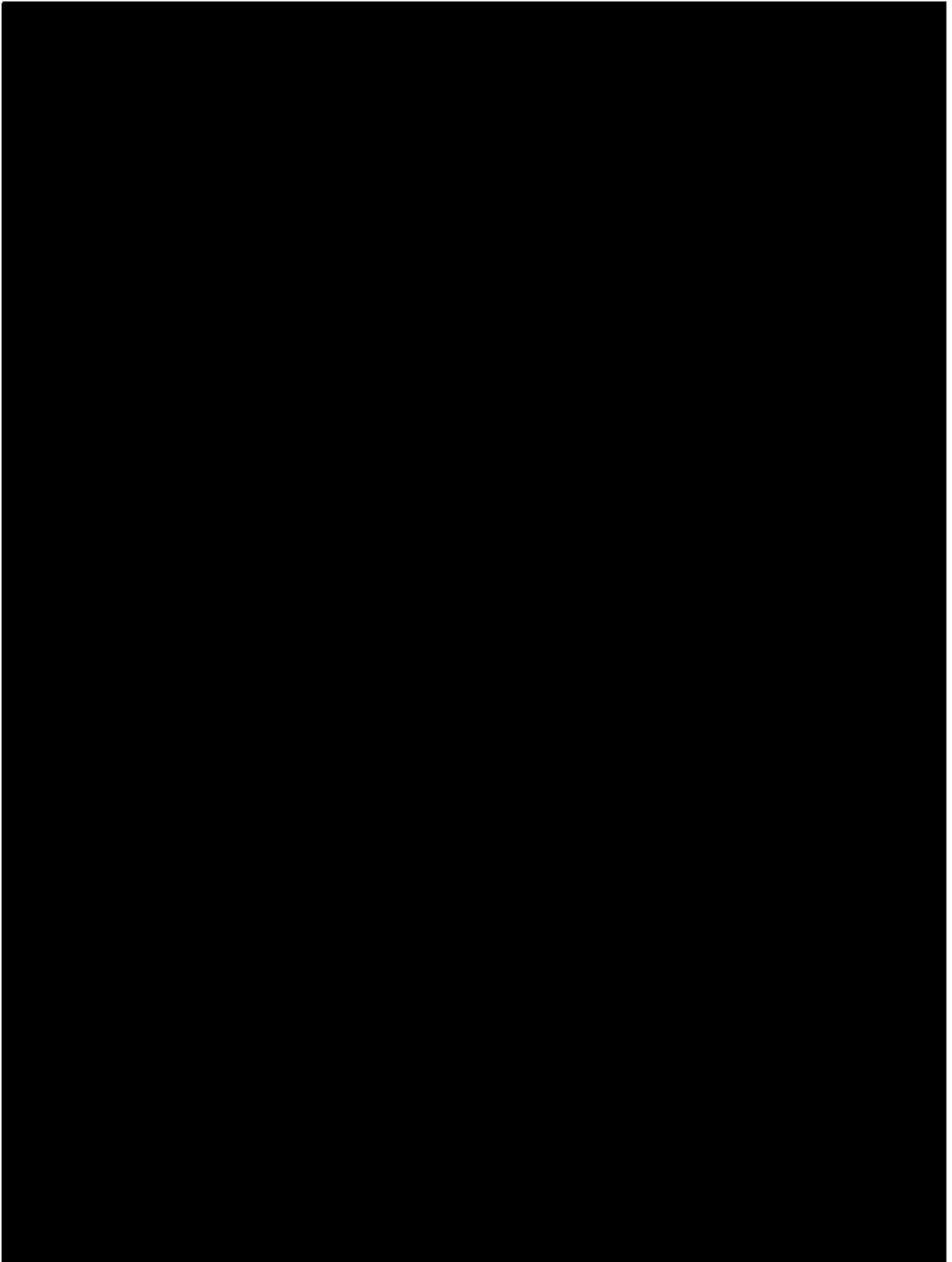


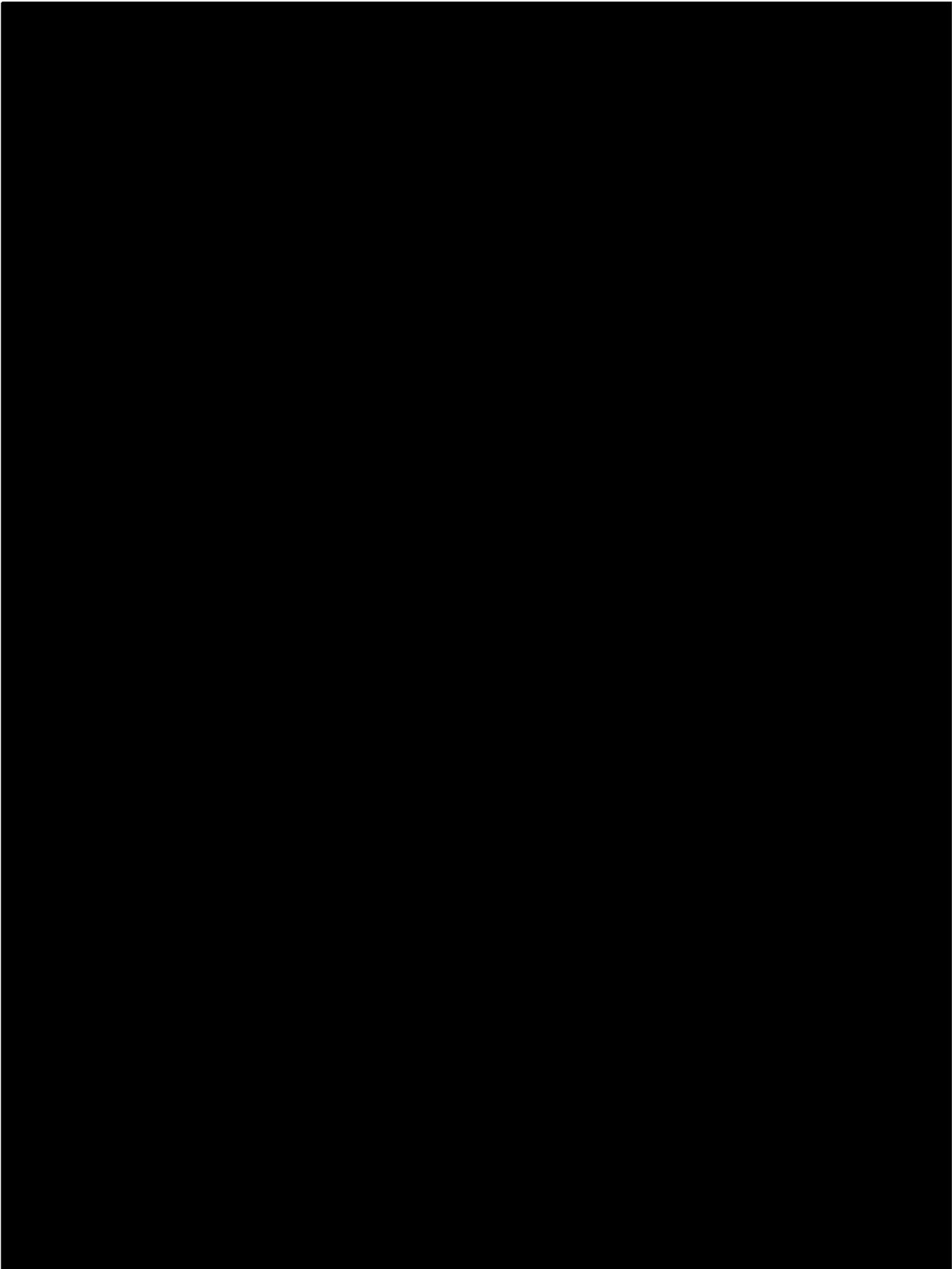


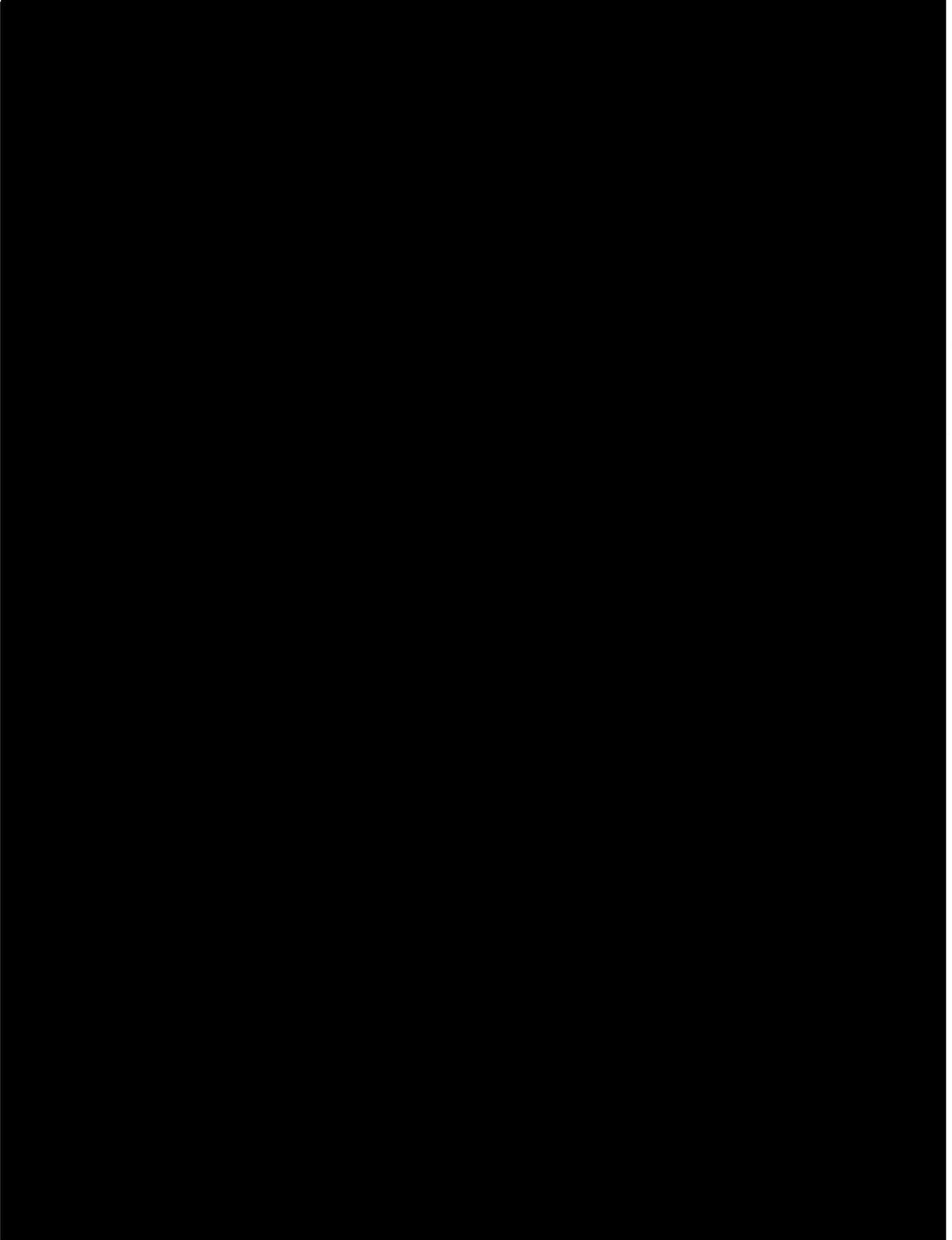


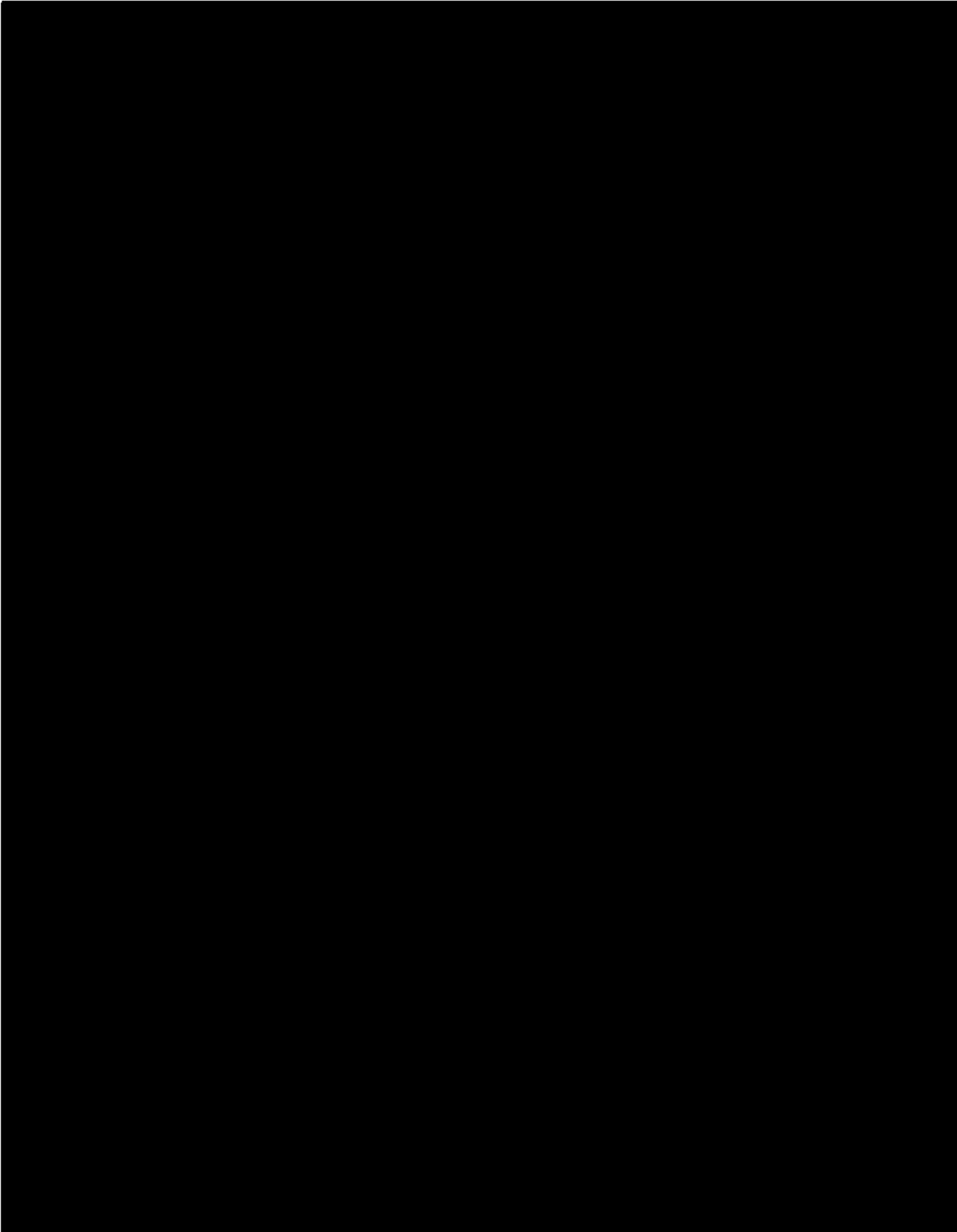


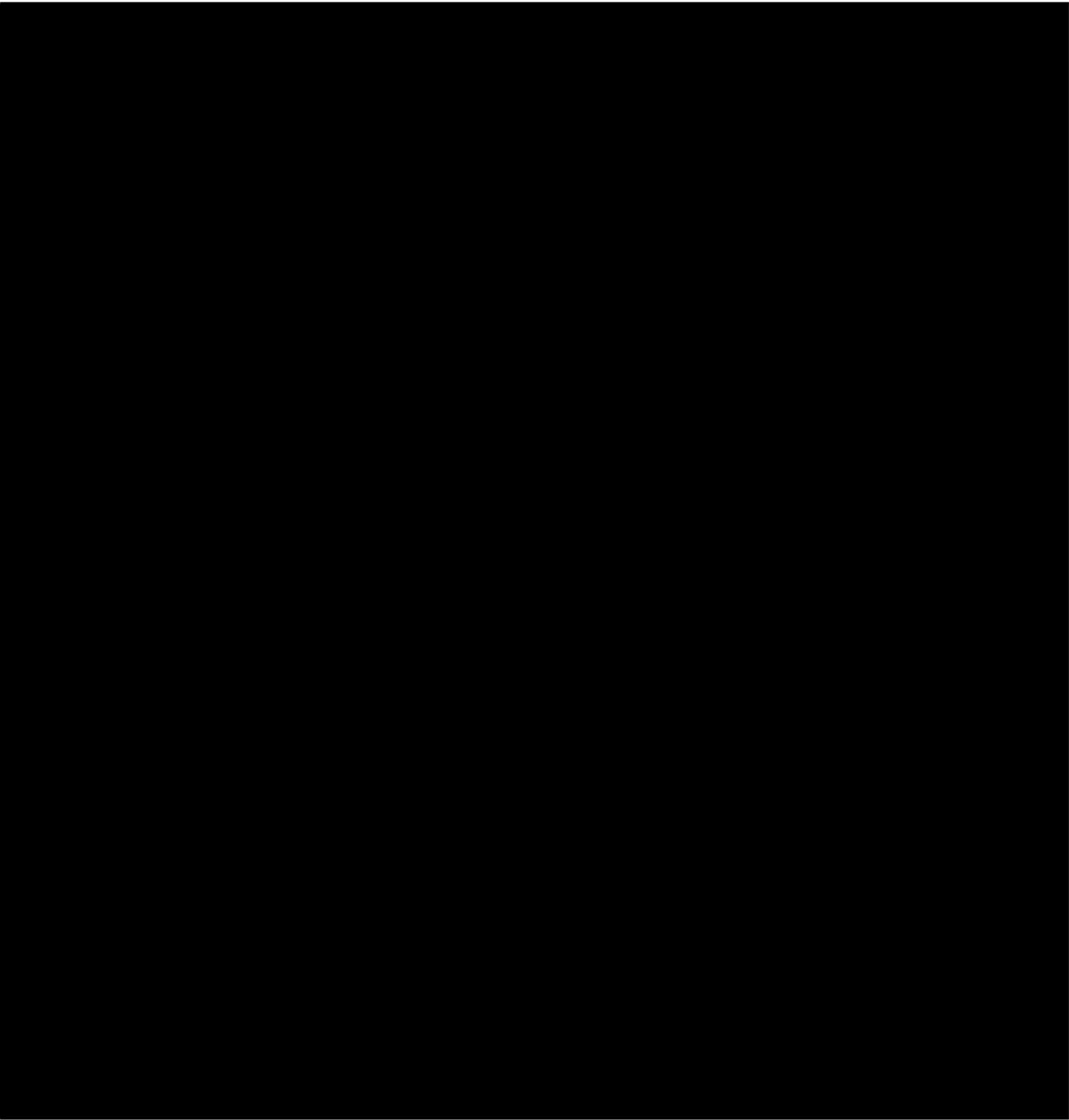












(b) (6)


Michael D. Young
Arbitrator

DATED: June 8, 2018
New York, New York

State of New York
County of New York

I, Michael D. Young, do hereby affirm upon my oath as Arbitrator, that I am the individual described in, and who executed, this instrument which is my FINAL AWARD in this matter.

Date: June 8, 2018
New York, New York

(b) (6)

Michael D. Young
Arbitrator

PROOF OF SERVICE BY EMAIL & U.S. MAIL

Re: Graham, Colleen, et al. vs. Palantir Technologies, Inc., et al.
Reference No. 1425025009

I, Vickie Johnston, not a party to the within action, hereby declare that on June 8, 2018, I served the attached Final Award on the parties in the within action by Email and by depositing true copies thereof enclosed in sealed envelopes with postage thereon fully prepaid, in the United States Mail, at New York, NEW YORK, addressed as follows:

Robert Kraus Esq.
Kraus & Zuchlewski LLP
60 East 42nd Street, Suite 2534
New York, NY 10165
Phone: 212-869-4646
rk@kzlaw.net
Parties Represented:
Colleen Graham

Jay P. Lefkowitz Esq.
Kirkland & Ellis LLP
601 Lexington Ave.
New York, NY 10022
Phone: 212-446-4800
lefkowitz@kirkland.com
Parties Represented:
Palantir Technologies

Joseph Serino Jr. Esq.
Latham & Watkins LLP
885 Third Ave.
Suite 1000
New York, NY 10022-4068
Phone: 212-906-1200
joseph.serino@lw.com
Parties Represented:
Credit Suisse First Boston Next Fund, Inc.

Jim Fulton Esq.
Cooley LLP
The Grace Building
1114 Avenue of the Americas
New York, NY 10036-7798
Phone: 212-479-6000
fultonjf@cooley.com
Parties Represented:
Signac LLC

I declare under penalty of perjury the foregoing to be true and correct. Executed at New York, NEW YORK on June 8, 2018.

(b) (6)

Vickie Johnston
VJohnston@jamsadr.com

Exhibit 2

Petition to Vacate Excerpts

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

-----X
COLLEEN GRAHAM,

Petitioner,

-against-

CREDIT SUISSE FIRST BOSTON NEXT FUND INC.,
PALANTIR TECHNOLOGIES, INC. and SIGNAC LLC,

Respondents.
-----X

NOTICE OF PETITION

Index. No.

Oral Argument Requested

PLEASE TAKE NOTICE, that upon the annexed Verified Petition and the exhibits annexed thereto, Petitioner, Colleen Graham ("Graham"), through her attorneys, Kraus & Zuchlewski LLP, will petition this Court, at the Motion Submission Part Courtroom (Room 130); located at 60 Centre Street, New York, New York, on the 7th day of April 2019 at 9:30 o'clock in the forenoon, or as soon thereafter as counsel may be heard for an Order, pursuant to CPLR §7511(b)(1)(i):

- a. vacating the arbitrator's award dated June 8, 2018 on the grounds that the rights of Petitioner were prejudiced by fraud and or misconduct in procuring the award;
- b. directing a rehearing of the arbitration by the same JAMS arbitrator who originally heard the matter; and
- c. granting Petitioner such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to C.P.L.R. § 403(b), answering papers, if any, shall be served at least seven (7) days before the return date of this petition.

Dated: New York, New York
March 8, 2019

Respectfully Submitted,

KRAUS & ZUCHLEWSKI LLP

By: /s/ Robert D. Kraus
Robert D. Kraus
Attorneys for Petitioner
One Grand Central Place
60 East 42nd Street, Suite 2534
New York, New York 10165

To:

Joseph Serino, Jr., Esq.
Latham & Watkins LLP
885 Third Avenue
New York, NY 10022-4834

Jay Lefkowitz, Esq.
Kirkland & Ellis, LLP
601 Lexington Avenue
New York, New York 10022

Jim Fulton, Esq.
Cooley LLP
1114 Avenue of the Americas
New York, New York 10036

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

-----X
COLLEEN GRAHAM,

Petitioner,

**VERIFIED PETITION
TO VACATE**

-against-

Index. No.

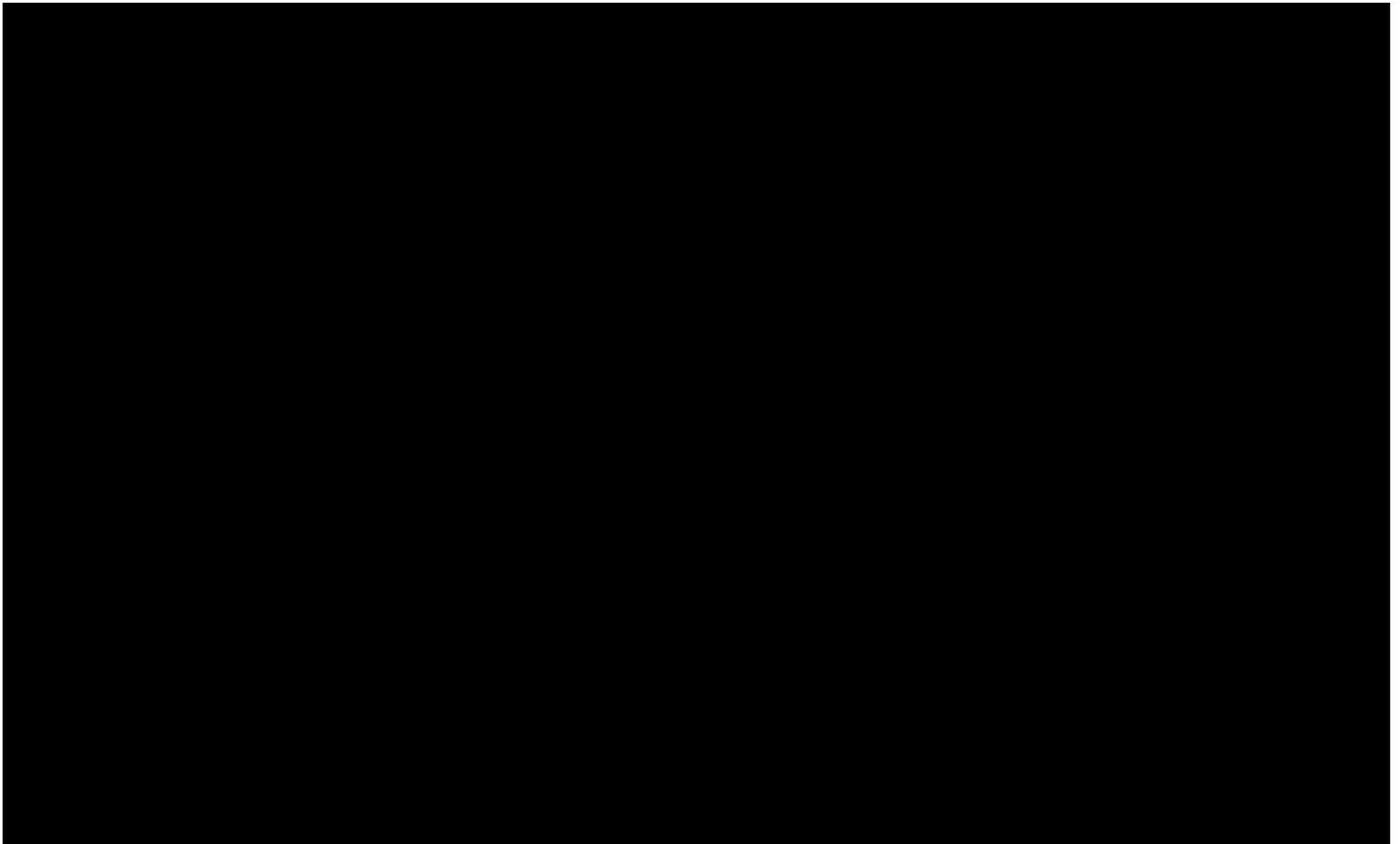
CREDIT SUISSE FIRST BOSTON NEXT FUND INC.,
PALANTIR TECHNOLOGIES, INC. and SIGNAC LLC,

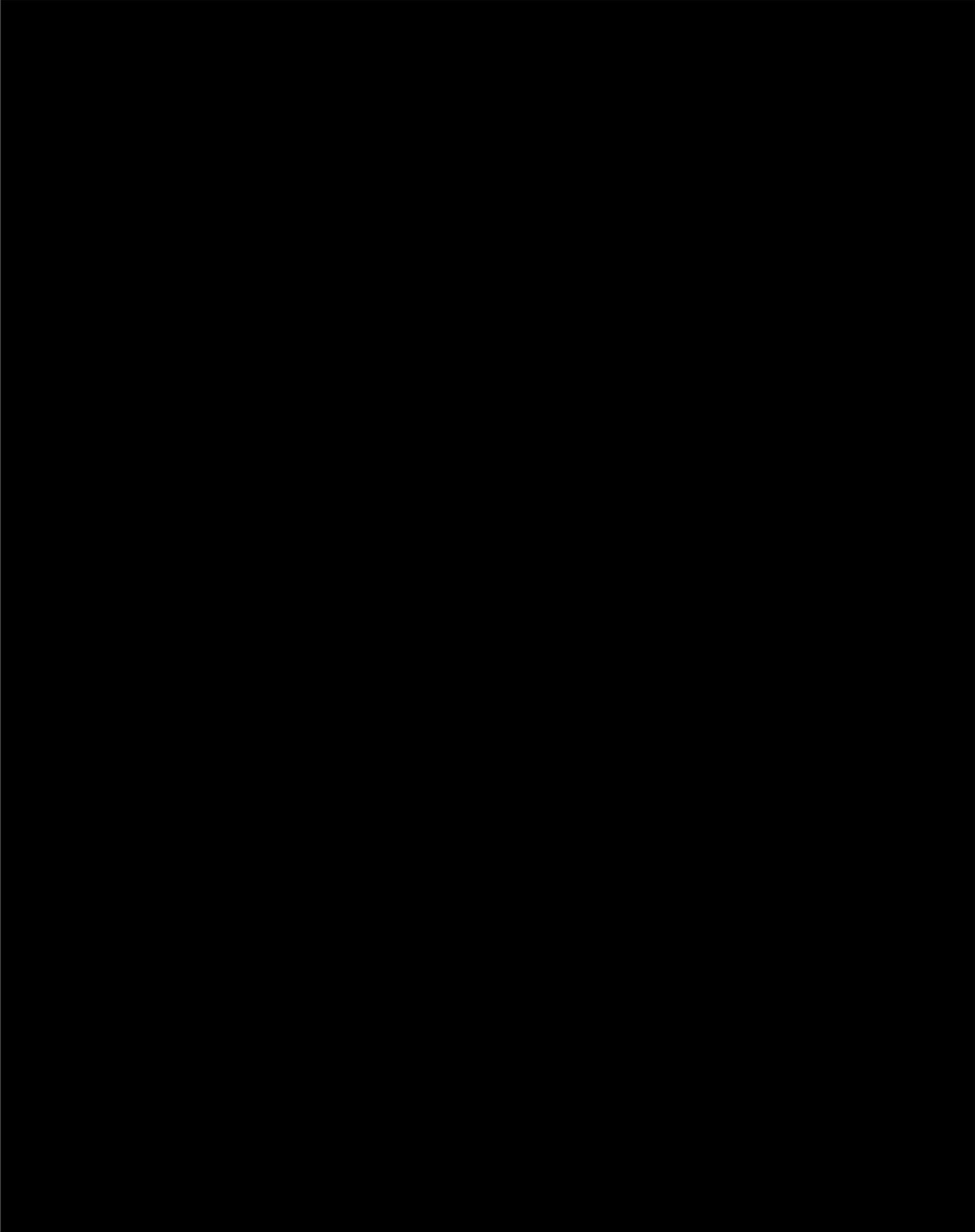
Oral Argument Requested

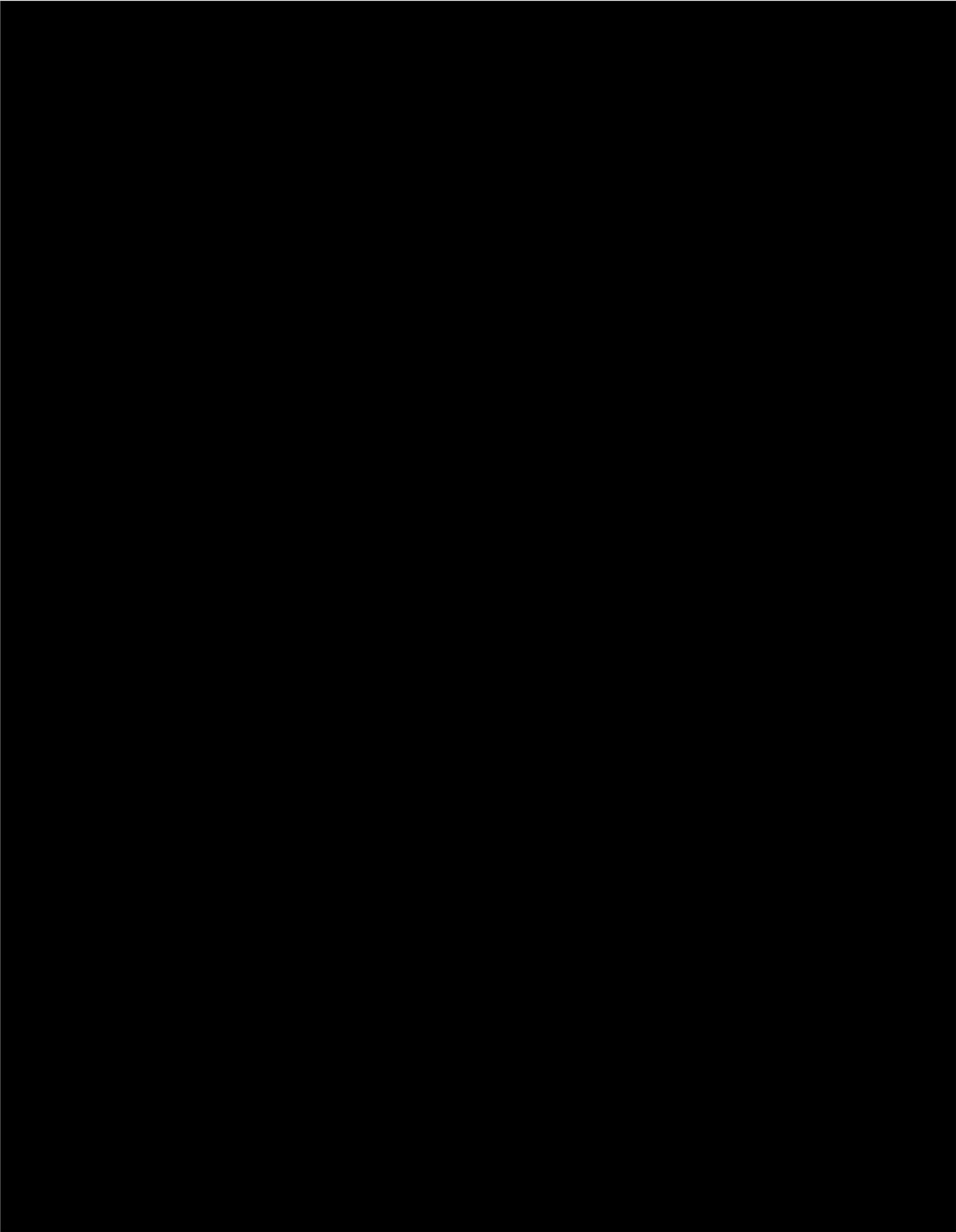
Respondents.

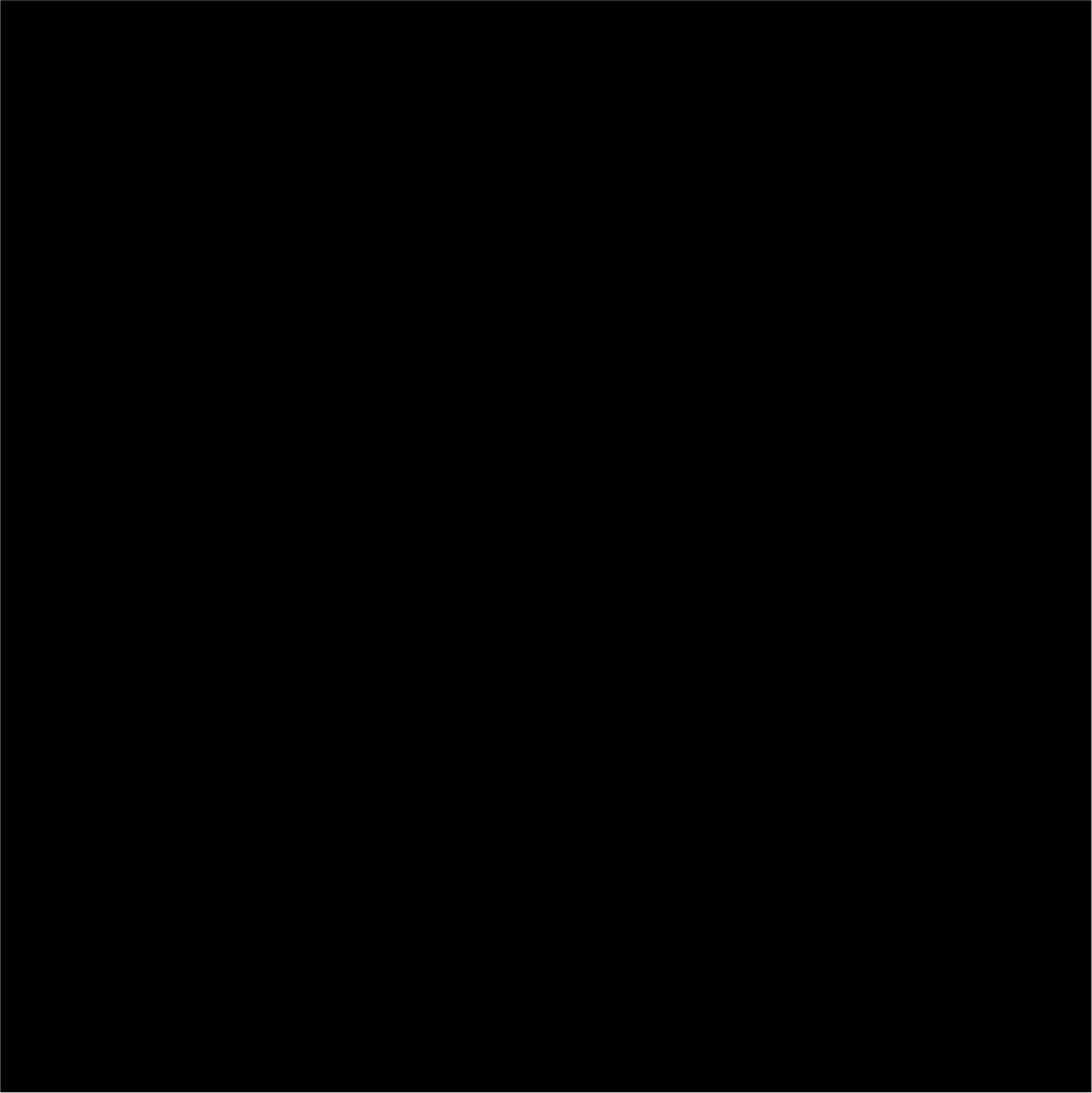
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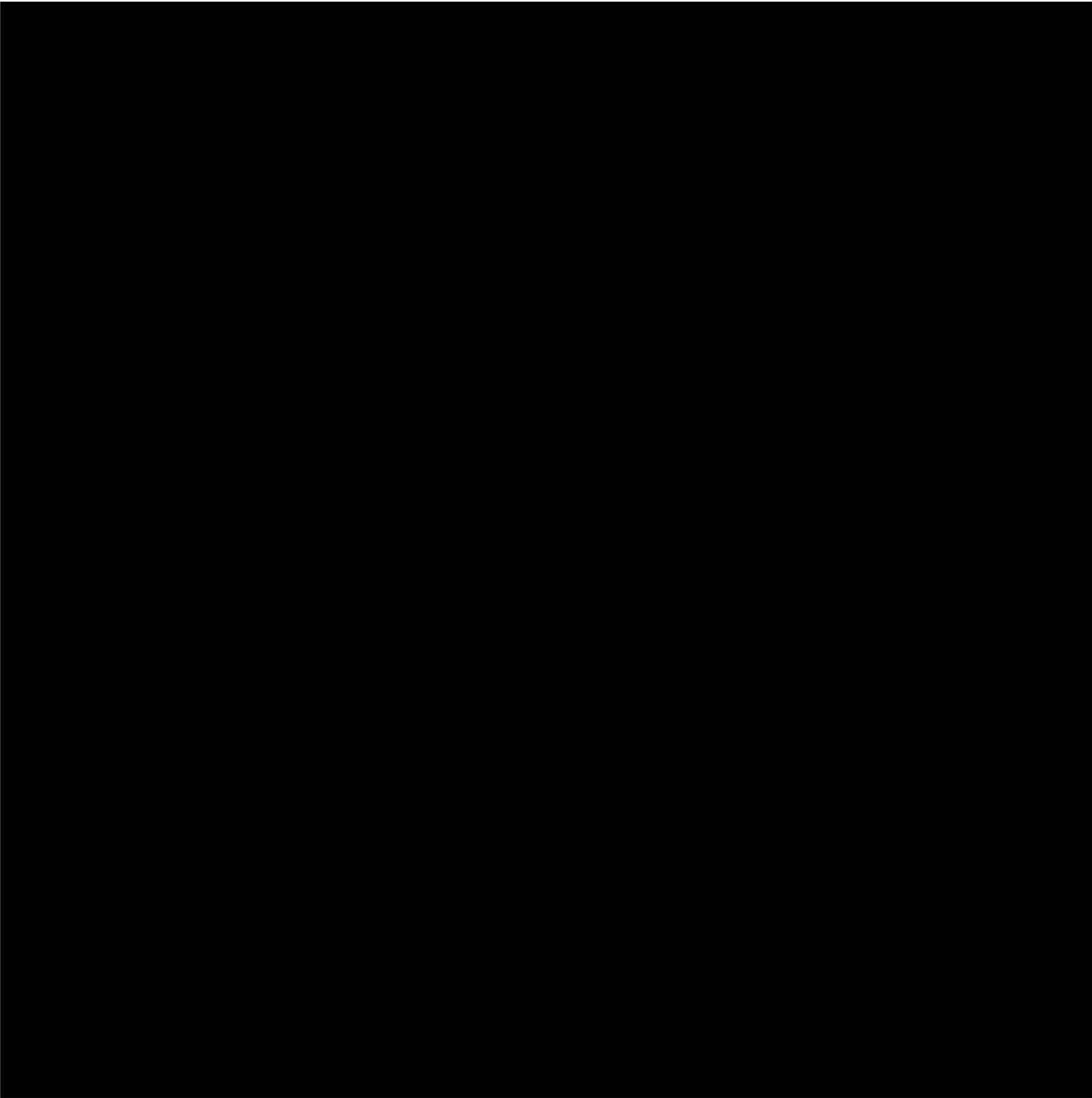
Petitioner Colleen Graham (“Graham”), by and through her undersigned attorneys, as and for her Verified Petition against Respondents Credit Suisse First Boston Next Fund Inc. (“CS”), Palantir Technologies, Inc. (“Palantir”) and Signac LLC (“Signac”) (collectively, “Respondents”), respectfully alleges as follows:

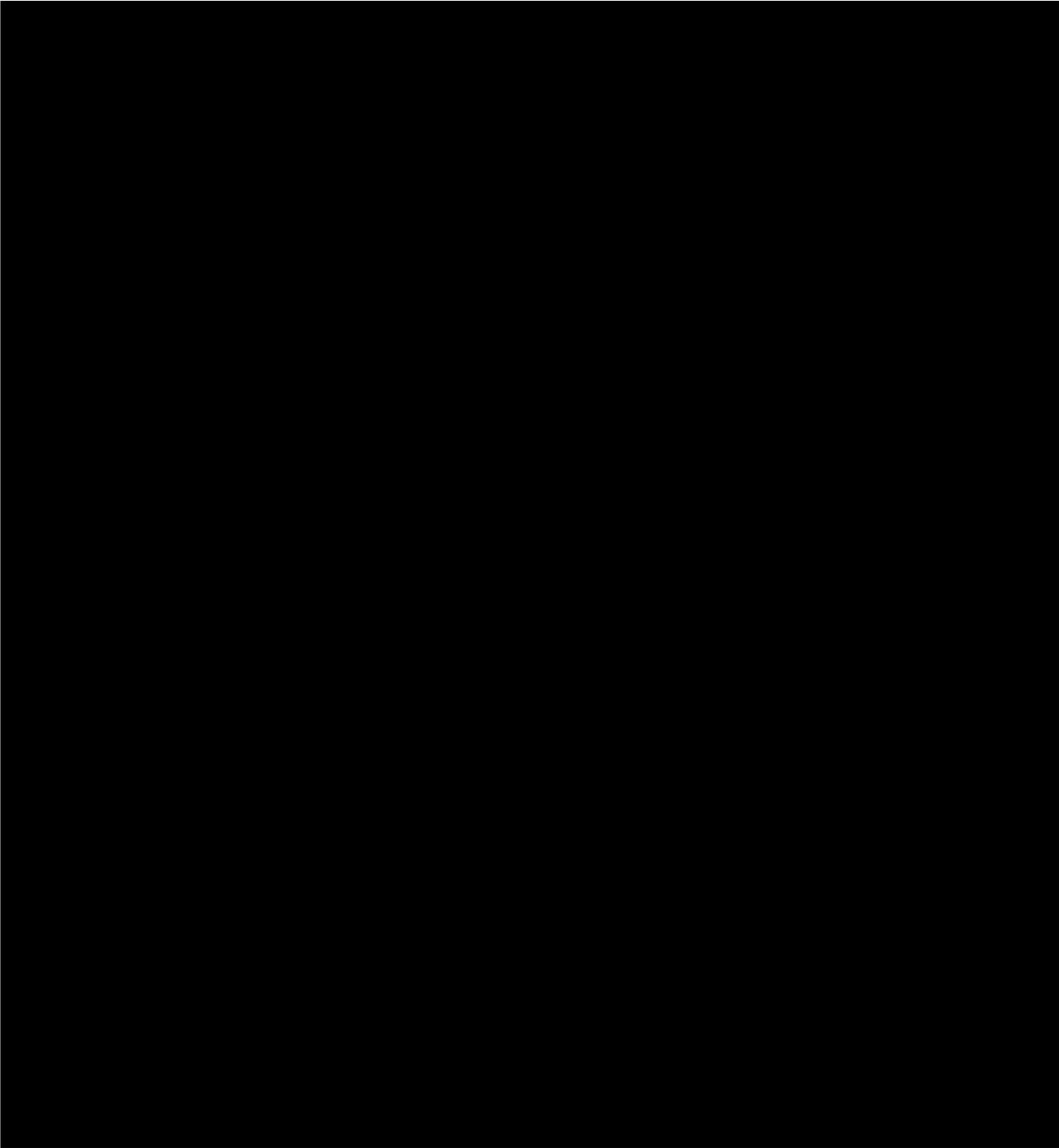












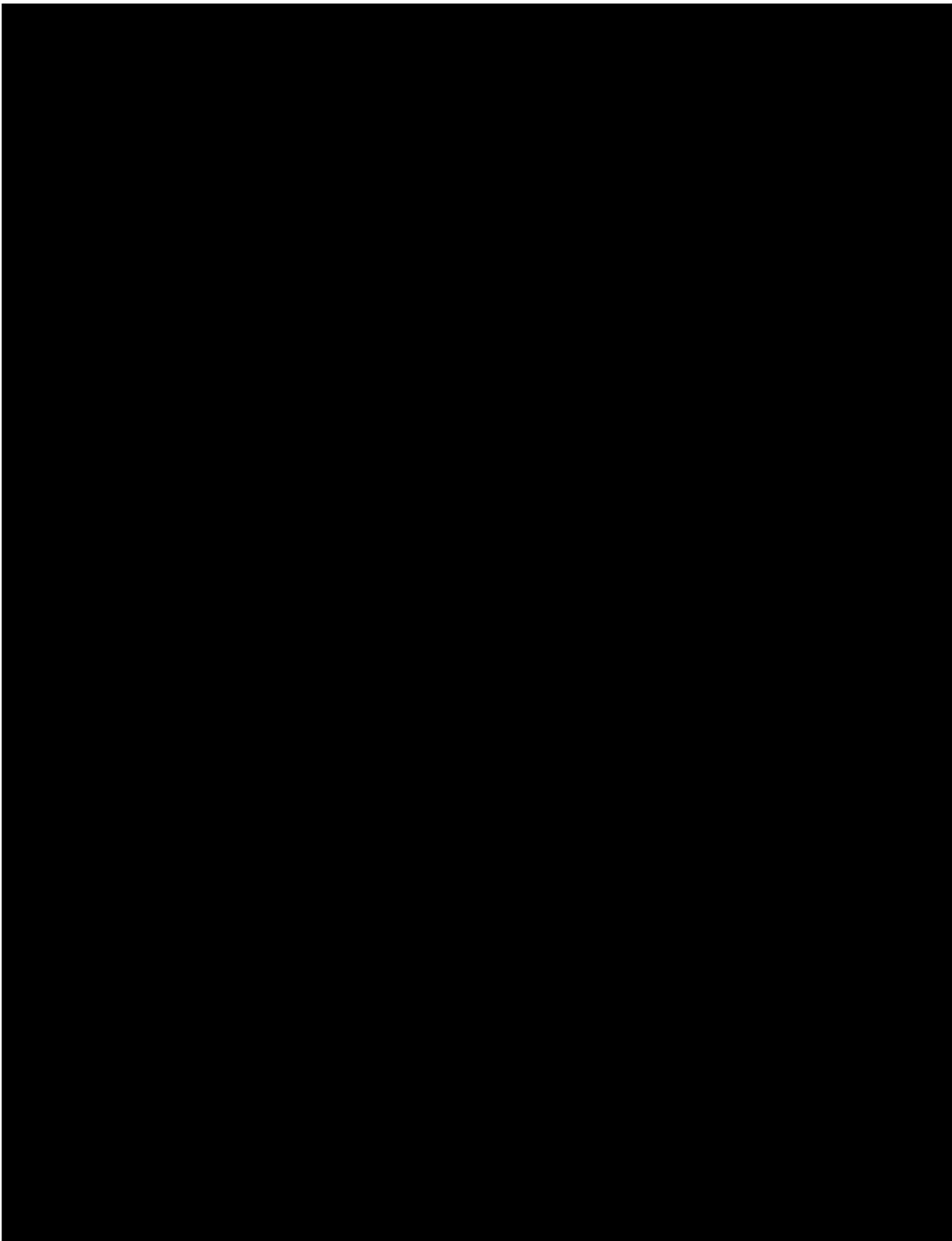


Exhibit 3

New York Court Transcript Excerpts

1 SUPREME COURT OF THE STATE OF NEW YORK

2 COUNTY OF NEW YORK: TRIAL TERM PART 35

3 ----- X

4 ANONYMOUS,

Petitioner,

- against -

7 ANONYMOUS,

Respondent.

9 ----- X

10 Index No. 651410/2019

*** SEALED RECORD ***

11 June 6, 2019
12 60 Centre Street
13 New York, New York 10007

14 B E F O R E: THE HONORABLE CAROL R. EDMEAD, Justice

15 A P P E A R A N C E S:

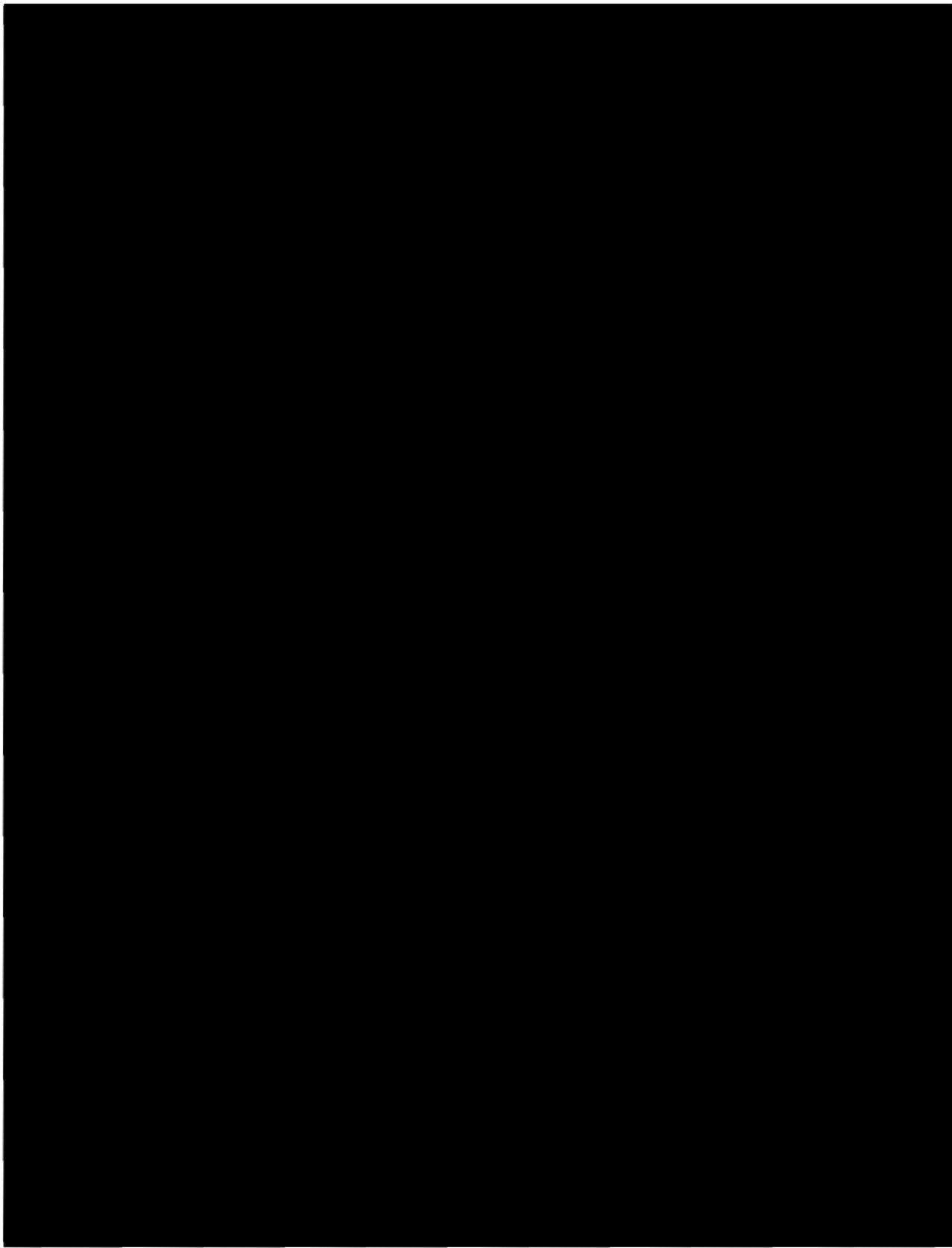
16 KRAUS & ZUCHLEWSKI LLP
17 Attorneys at Law
18 60 East 42nd Street, Suite 2514
19 New York, New York 10165
20 BY: ROBERT KRAUS, ESQ.
21 DESIREE J. GUSTAFSON, ESQ.

22 LATHAM & WATKINS LLP
23 Attorneys at Law
24 885 Third Avenue
25 New York, New York 10022-4834
BY: KUAN HUANG, ESQ.
JOSEPH SERINO, ESQ.

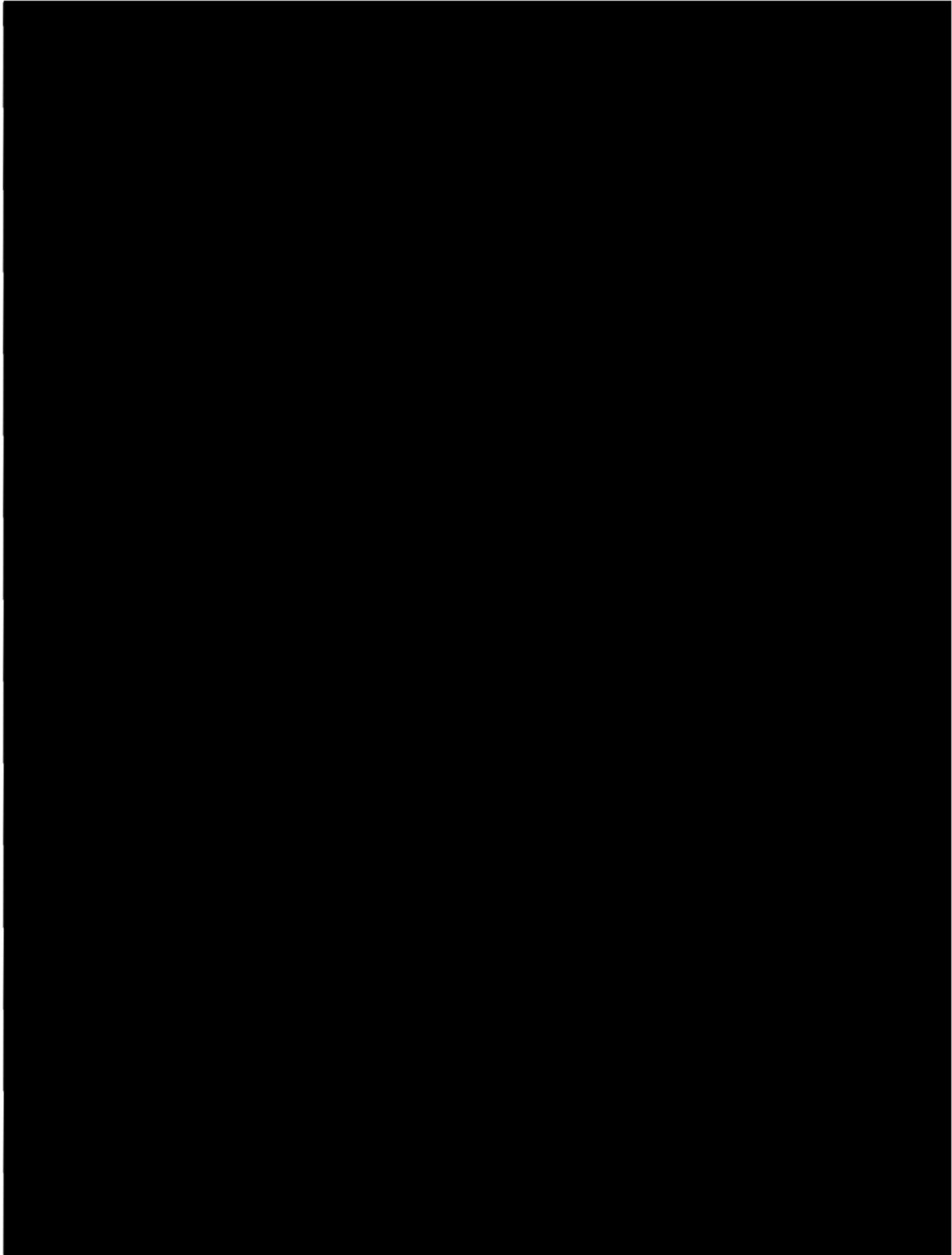
KIRKLAND & ELLIS LLP
Attorneys at Law
601 Lexington Avenue
New York, New York 10022
BY: JAY LEFKOWITZ, ESQ.

Terry-Ann Volberg, CSR, CRR
Official Court Reporter

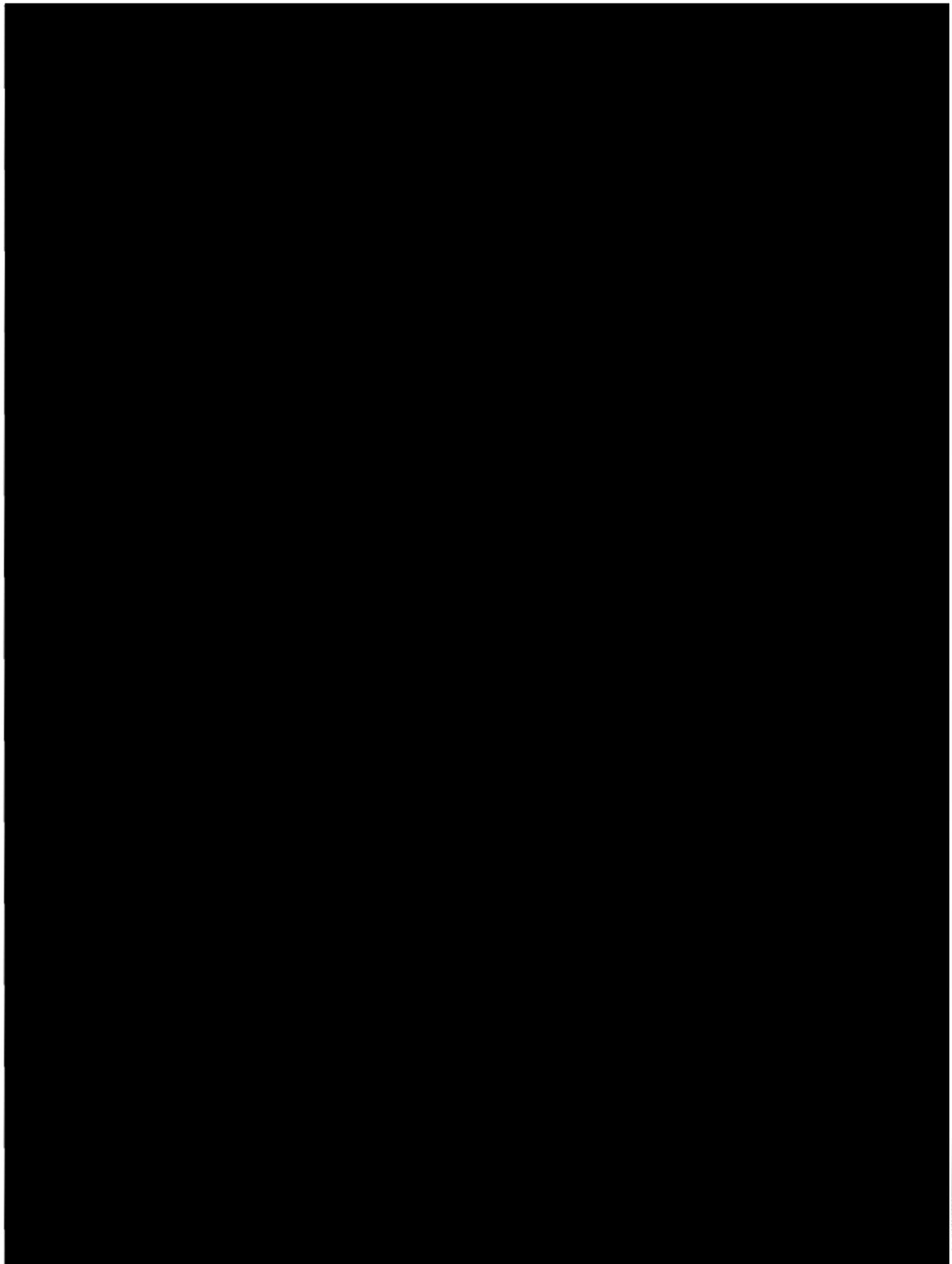
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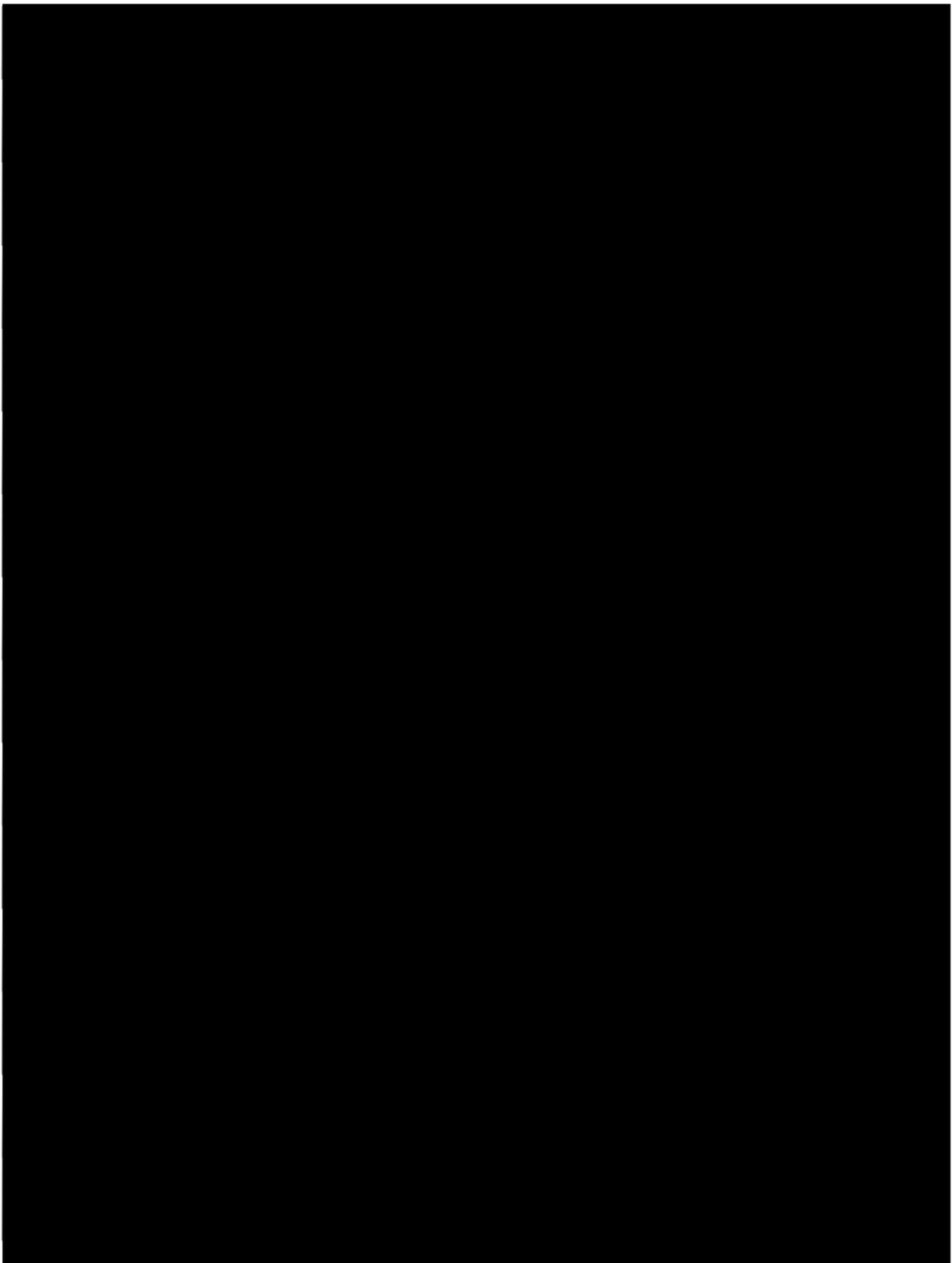
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