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## **CII Files Amicus Brief in Halliburton Case 20 Institutional Investors Co-Sign CII Brief**

**Washington, D.C., Feb. 5, 2014** — The Council of Institutional Investors (CII) today filed an *amicus curiae* [brief](#) in connection with *Halliburton Co. v. Erica P. John Fund, Inc.*, a case pending before the U.S. Supreme Court that could make it harder for investors to pursue class-action lawsuits for securities fraud.

CII's brief urges the court to uphold the "fraud on the market" presumption that has been a central tenet of securities fraud litigation for decades. The brief was co-signed by 20 institutional investors.

The "fraud on the market" presumption holds that because an efficient market will reflect all publicly available information about a company, a buyer of a company's shares may be presumed to have relied on that information in purchasing the security. As a result, investors defrauded by false statements in a company's securities filings can join together in a class action without each investor having to show that it actually considered the statements when buying or selling the company's shares.

Class action suits help deter fraud and recoup investor losses. If the Supreme Court overturns the "fraud on the market" presumption, investors could have an extremely difficult time pursuing class actions for securities fraud.

The Supreme Court is scheduled to hear oral arguments in *Halliburton Co. v. Erica P. John Fund, Inc.* on March 5. The court is expected to issue its opinion by the end of June.

**For questions about the brief, please contact attorney Ryan Bates of Bates PLLC, at 512.694.5268 or [rbates@batespllc.com](mailto:rbates@batespllc.com), or CII General Counsel Jeff Mahoney at 202.261.7081 or [jeff@cii.org](mailto:jeff@cii.org).**

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*The Council of Institutional Investors (CII) is a nonprofit association of pension funds, other employee benefit funds, endowments and foundations, with combined assets that exceed \$3 trillion. CII is a leading voice for effective corporate governance and strong shareowner rights. CII educates its members, policymakers and the public about corporate governance, shareowner rights and related investment issues, and advocates on its members' behalf.*