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## Connecticut Supreme Court Issues Significant Decision on Shareholder Derivative Suits

*Wiggin and Dana Appellate Partner Aaron Bayer Argued Appeal in May v. Coffey*

HARTFORD – On Friday, April 3rd, the Connecticut Supreme Court issued a unanimous 5-0 decision in *May v. Coffey*, in which it reinforced the principle that shareholders cannot bring a direct suit against a corporation's officers or directors unless they have suffered an injury that is "separate and distinct" from any injury suffered by the corporation and other shareholders. The victory ends a longstanding suit that was vigorously defended by attorneys for Latex Foam International, a company that manufactures latex foam products in Connecticut. Wiggin and Dana Appellate Partner Aaron Bayer, argued the case on behalf of the company before the Supreme Court in September 2008. The Supreme Court upheld the earlier trial court's ruling to dismiss the suit entirely.

For more information on the possible implications of this case, please contact Partner Aaron Bayer at (860) 297-3759 ([abayer@wiggin.com](mailto:abayer@wiggin.com)).

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