

Duane Morris has represented numerous public, private, nonprofit and proprietary schools, colleges and universities, accreditation agencies and other groups and businesses dedicated to education. Our lawyers understand the unique needs of academic institutions and can provide efficient and cost-effective legal counsel. In the higher education sector, clients benefit from our years of experience and relationships with the myriad federal and state regulators and accreditors that oversee their activities. As the needs of educational institutions are diverse, Duane Morris lawyers from different disciplines work together to represent clients and advance their interests.

RANGE OF SERVICES

- ▶ TITLE IV ELIGIBILITY AND COMPLIANCE
- ▶ ACCREDITATION AND STATE LICENSURE
- ▶ LOBBYING AND POLICY
- ▶ CORPORATE LAW AND GOVERNANCE
- ▶ INTELLECTUAL PROPERTY
- ▶ LABOR AND EMPLOYMENT
- ▶ MERGERS & ACQUISITIONS
- ▶ PRIVATE EQUITY
- ▶ REAL ESTATE AND FINANCING
- ▶ EDUCATION LITIGATION, INVESTIGATIONS AND ADMINISTRATIVE APPEALS
- ▶ ED TECH
- ▶ REGULATORY RESPONSE AND CRISIS MANAGEMENT
- ▶ STUDENT RELATIONS
- ▶ GOVERNMENT CONTRACTS



**RANKED A
LEADING LAW FIRM
IN EDUCATION**

EXAMPLES OF OUR ATTORNEYS' WORK

Litigation

- ▶ Represented the American Association of Cosmetology Schools (AACCS) against the U.S. Department of Education and Secretary DeVos in a case that successfully challenged the department's "gainful employment" rule, which resulted in a new rulemaking.
- ▶ Representation of large public research university in the federal and state criminal and administrative investigations and proceedings—and coordination of related civil proceedings—arising from the allegations and prosecutions surrounding a former coach, and senior administrators, from the initial charges through to the present.
- ▶ Representation of large public research university on cybersecurity and research compliance issues in connection with cyberattack of academic research systems.
- ▶ Represented large multicampus college with data breach incident, involving multistate breach notifications, remedial action and developing security breach incident response plans.
- ▶ Defended a nationally accredited university in a class action suit brought under Cal. Bus. & Prof. Code §§ 17200 and 17500. Negotiated favorable class settlement.

Employment, Labor, Benefits and Immigration

- ▶ Represented Valley Medical College, a for-profit educational institution, in its opposition to efforts by the Teamsters Union to organize the faculty its Salem, Oregon, facility. The faculty voted not to unionize, and the Teamsters filed unfair labor practice charges with the National Labor Relations Board. The board dismissed the charges against the client.
- ▶ Obtained summary judgment in favor of prominent Philadelphia-based cosmetology school in a wage-and-hour class and collective action case in which plaintiffs—current and former cosmetology students—alleged employee status and failure to pay minimum wages under the FLSA, Pennsylvania Minimum Wage Act and Pennsylvania Wage Payment and Collection Law.
- ▶ Defended a California technical college against a fraud and wage-and-hour claim by a disgruntled employee. Successfully defeated the employee's attempt to bring a class action and enforced an arbitration provision. The arbitrator rendered a decision for the school.

- ▶ Represented a large Ohio cosmetology school in an investigation by the U.S. Department of Labor concerning the exempt status of its instructors. The department's investigator initially concluded the instructors were entitled to overtime pay. The matter resulted in a finding that the instructors were exempt from overtime.
- ▶ Defended a California private postsecondary school in an investigation by the Department of Fair Employment and Housing (DFEH). They investigated an instructor's claim of sexual harassment and retaliation. Counseled client through the process of terminating the manager who engaged in the alleged harassing conduct. Convinced the DFEH to make a finding of no actionable harassment or retaliation.
- ▶ Represented private college in three separate lawsuits by former employees claiming violations of their meals and rest breaks and overtime provisions of the California Labor Code.

Corporate

- ▶ Education regulatory counsel for an \$80 million acquisition by Chegg, Inc. (NYSE: CHGG), an education technology company, to acquire Thinkful, an online coding bootcamp.
- ▶ Represented Perdoceo Education Corporation (NASDAQ: PRDO), a for-profit postsecondary higher education provider, in its \$44-45 million acquisition of the assets of Trident University International, a regionally accredited university offering online programs, from private equity firm Summit Partners.
- ▶ Served as lender's regulatory counsel for \$40.5 million credit facility issued to higher education holding company owning multiple institutions.
- ▶ Served as regulatory counsel for M&A transactions of pre-K to 12, for-profit schools involving more than 200 locations with total combined enterprise value of more than \$1 billion.
- ▶ Served as regulatory counsel for EDMC's successful approvals by four regional accreditors and multiple state licensing agencies of its sale of Argosy University, South University, and select Art Institutes to Dream Center Education Holdings.
- ▶ Represented an investment company in the \$1.3 million asset purchase of cosmetology schools.
- ▶ Negotiated an emergency memorandum of understanding and a subsequent operating agreement with USDE for Corinthian Colleges that provided the mechanism for an orderly transition and sale of most of the company's accredited colleges.



Real Estate

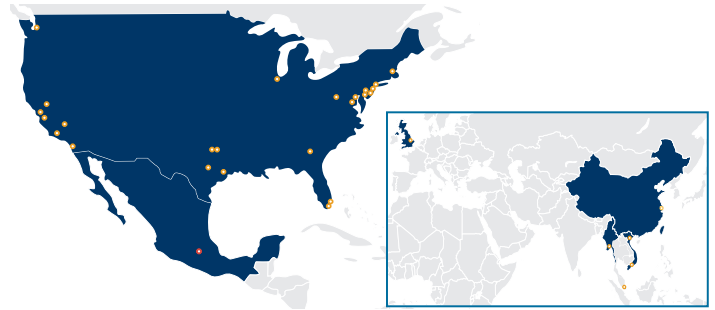
- ▶ Represent a national provider of postsecondary degrees with respect to its national leasing portfolio, including negotiating and drafting commercial leases, amendments, subleases, subordination agreements, estoppels and termination agreements.

- ▶ Assisted student housing owners/operators with acquisitions over the past several years totaling over \$500 million of student housing projects throughout the country.

Intellectual Property

- ▶ Represented multiple educational institutions in connection with the misappropriation of the schools' names in connection with internet scam websites and degree mills. Assisted the clients in obtaining registered trademarks and pursuing those who misappropriated our clients' trademarks through arbitration under the Uniform Domain-Name Dispute Resolution Policy.

OFFICE LOCATIONS & REACH



UNITED STATES

Atlanta Los Angeles
 Austin Miami
 Baltimore New York
 Boca Raton Newark
 Boston Philadelphia
 Cherry Hill Pittsburgh
 Chicago San Diego
 Dallas San Francisco
 Fort Worth Silicon Valley
 Houston Washington, D.C.
 Lake Tahoe Wilmington
 Las Vegas

INTERNATIONAL

Hanoi Myanmar
 Ho Chi Minh City Shanghai
 London Singapore

- ▶ Also satellite offices, including Bangor and Portland, Maine; and Seattle, Washington
- ▶ Alliances in Mexico
- ▶ Leadership position with international network of independent law firms

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