

**FIRM NEWS**

## Schulte's "blow-out success" secures nearly \$18 million in legal fees for Politan Capital Management

**November 28, 2023**

Reuters featured Schulte Roth & Zabel's latest victory for activist hedge fund Politan Capital Management in closely watched litigation with medical technology company Masimo Corporation, which Vice Chancellor Nathan Cook of the Delaware Court of Chancery called a "blow-out success" for Politan. In the latest win, Cook awarded Politan nearly \$18 million in fees for forcing Masimo to abandon entrenchment tactics ahead of a shareholder vote on two Politan-backed candidates for Masimo's board, a case that he also called a "cause celebre" and "consequential" for corporate governance.

Schulte partner Michael Swartz, who argued for Politan at the fee award hearing, told Reuters that Cook took a holistic approach to the fee request, disregarding Masimo's hyper-technical arguments and focusing instead on the overall benefits the litigation brought to the company's stockholders.

Swartz further stated that "The Chancery Court was frustrated that Masimo did not take a more reasonable approach."

[Read more here.](#)

---

## Related People



**Michael  
Swartz**

Partner  
New York

---

## Practices

**SHAREHOLDER ACTIVISM  
LITIGATION**