

Wachovia v. Sun Trust Bank

THE CLIENT: [Simpson Thacher & Bartlett](#)

THE CASE: This case (First Union/Wachovia v. Sun Trust Bank), involved the acquisition of Sun Trust bank and a third party injunction to stop its shareholders from voting on the acquisition prior to hearing details of a tender offer.

THE TRIAL: In this hearing for injunctive relief, the presiding judge preferred that briefs be prepared electronically and submitted on CD or DVD at the time of the filing. DOAR crafted an electronic brief and delivered it on CD offering browser-like navigation for clear, intuitive usability by the judge. All citations and footnotes were linked to the brief using pop-ups and tiff images. This immediate access from the judge's computer to volumes of information and supporting documentation proved invaluable in aiding the judge in his decision.

- Both the original brief and the reply brief were electronically prepared allowing for full boolean and proximity searches within all of the text documents. All documents were organized and hyperlinked, from the table of contents to conclusion, including case law, statutes, quotes, footnotes, transcripts, exhibits (including audio/video), pleadings and references to other briefs.
- In preparing the briefs and their corresponding citations, over 75,000 pages were [scanned/coded](#) and hundreds of hours of videotape were digitized.
- The DOAR e-brief contained hundreds of citations encapsulated into a concise, easily navigable format. And, when appropriate, footnotes to the text were hyperlinked to pop-up screens with supporting documentation. The layout provided full text on the left with a complete list of citations, depositions and affidavits on the right making it totally user-friendly.

35 Largest U.S. Bank Mergers Based on Equity Value of Transaction on Announcement Date

Rank	Year	Bank	Value of Transaction (\$ Billions)	Merger Agreement	Stock Option Agreement
1	2008	Wachovia	25,000	Yes	Yes
2	2007	Bank of America	19,000	Yes	Yes
3	2006	Bank of America	18,000	Yes	Yes
4	2005	Bank of America	17,000	Yes	Yes
5	2004	Bank of America	16,000	Yes	Yes
6	2003	Bank of America	15,000	Yes	Yes
7	2002	Bank of America	14,000	Yes	Yes
8	2001	Bank of America	13,000	Yes	Yes
9	2000	Bank of America	12,000	Yes	Yes
10	1999	Bank of America	11,000	Yes	Yes
11	1998	Bank of America	10,000	Yes	Yes
12	1997	Bank of America	9,000	Yes	Yes
13	1996	Bank of America	8,000	Yes	Yes
14	1995	Bank of America	7,000	Yes	Yes
15	1994	Bank of America	6,000	Yes	Yes
16	1993	Bank of America	5,000	Yes	Yes
17	1992	Bank of America	4,000	Yes	Yes
18	1991	Bank of America	3,000	Yes	Yes
19	1990	Bank of America	2,000	Yes	Yes
20	1989	Bank of America	1,000	Yes	Yes
21	1988	Bank of America	1,000	Yes	Yes
22	1987	Bank of America	1,000	Yes	Yes
23	1986	Bank of America	1,000	Yes	Yes
24	1985	Bank of America	1,000	Yes	Yes
25	1984	Bank of America	1,000	Yes	Yes
26	1983	Bank of America	1,000	Yes	Yes
27	1982	Bank of America	1,000	Yes	Yes
28	1981	Bank of America	1,000	Yes	Yes
29	1980	Bank of America	1,000	Yes	Yes
30	1979	Bank of America	1,000	Yes	Yes
31	1978	Bank of America	1,000	Yes	Yes
32	1977	Bank of America	1,000	Yes	Yes
33	1976	Bank of America	1,000	Yes	Yes
34	1975	Bank of America	1,000	Yes	Yes
35	1974	Bank of America	1,000	Yes	Yes