

2014

# Hedge Fund Activism Report: 2013-2014

New York Law School

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## note from the editors

Welcome to the New York Law School Hedge Fund Activism Report for 2013 to 2014. Hedge funds that engage in activism purchase shares in a company and use the voting and other control rights that come along with the shares to influence or replace managers. Empirical studies generally find that activism by hedge funds increases the value of target companies.<sup>1</sup> Hedge fund activism has grown significantly in recent years, with the total assets managed by activist funds jumping from \$12 billion in 2003 to over \$112 billion in 2014.<sup>2</sup>

This Report covers Schedule 13D filings with the Securities and Exchange Commission (SEC). Schedule 13D filings must be filed when a person directly or indirectly acquires more than 5% of a class of a company's voting equity securities.<sup>3</sup>

This Report covers the 13D filings made by 30 activist hedge funds between January 1, 2013 and December 31, 2014.<sup>4</sup> It provides direct links to the 13D filings on the SEC's EDGAR website, as well as information on the target companies, industries invested in, activist goals, percentage of the target company acquired, and the short-term market impact of the hedge fund's action.

Table 1 and Figure 1 show each hedge fund's activity by number of investments. Bulldog Investors LLC was the most active of the hedge funds, with a total of 12 investments in 2013-2014. Table 2 and Figure 2 show the industries of the target companies by number of investments. The majority of target companies are in the financial services industry.

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<sup>1</sup> Lucian A. Bebchuk et al., The Long-Term Effects of Hedge Fund Activism, Harvard Law School John M. Olin Center Discussion Paper No. 802, June 2015, <http://ssrn.com/abstract=2291577>; Alon Brav et al., Recent Advances in Research on Hedge Fund Activism: Value Creation and Identification, Working Paper 2015, available at [http://www.columbia.edu/~wj2006/ARFE\\_review.pdf](http://www.columbia.edu/~wj2006/ARFE_review.pdf).

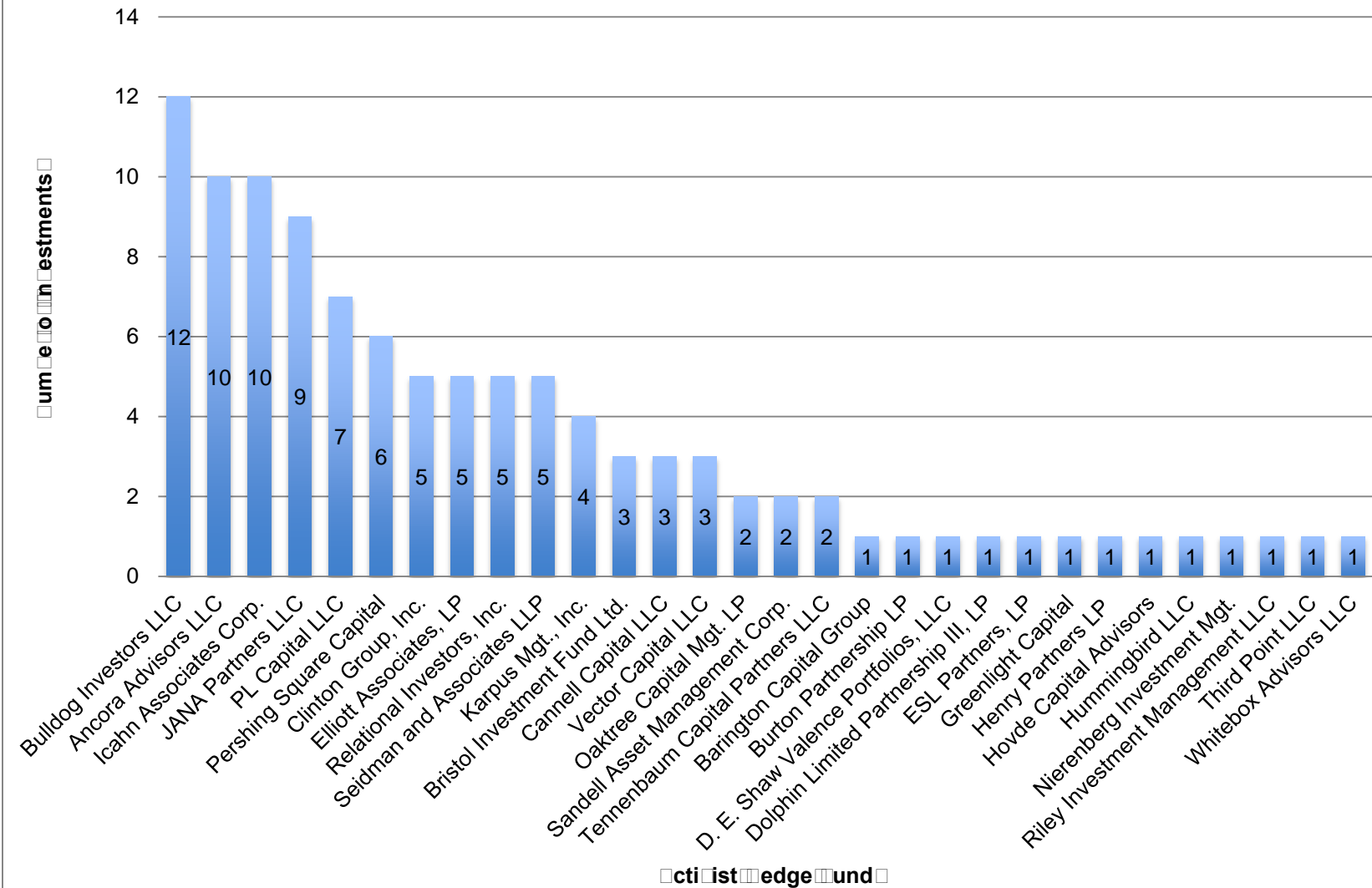
<sup>2</sup> JP Morgan, The Activist Revolution at 1 (Jan. 2015).

<sup>3</sup> 17 C.F.R. § 240.13d-1 (2015).

<sup>4</sup> The NYLS Hedge Fund Activism Report does not represent or warrant the accuracy of any aspect of the information provided herein. No aspect of the report constitutes legal or financial advice.

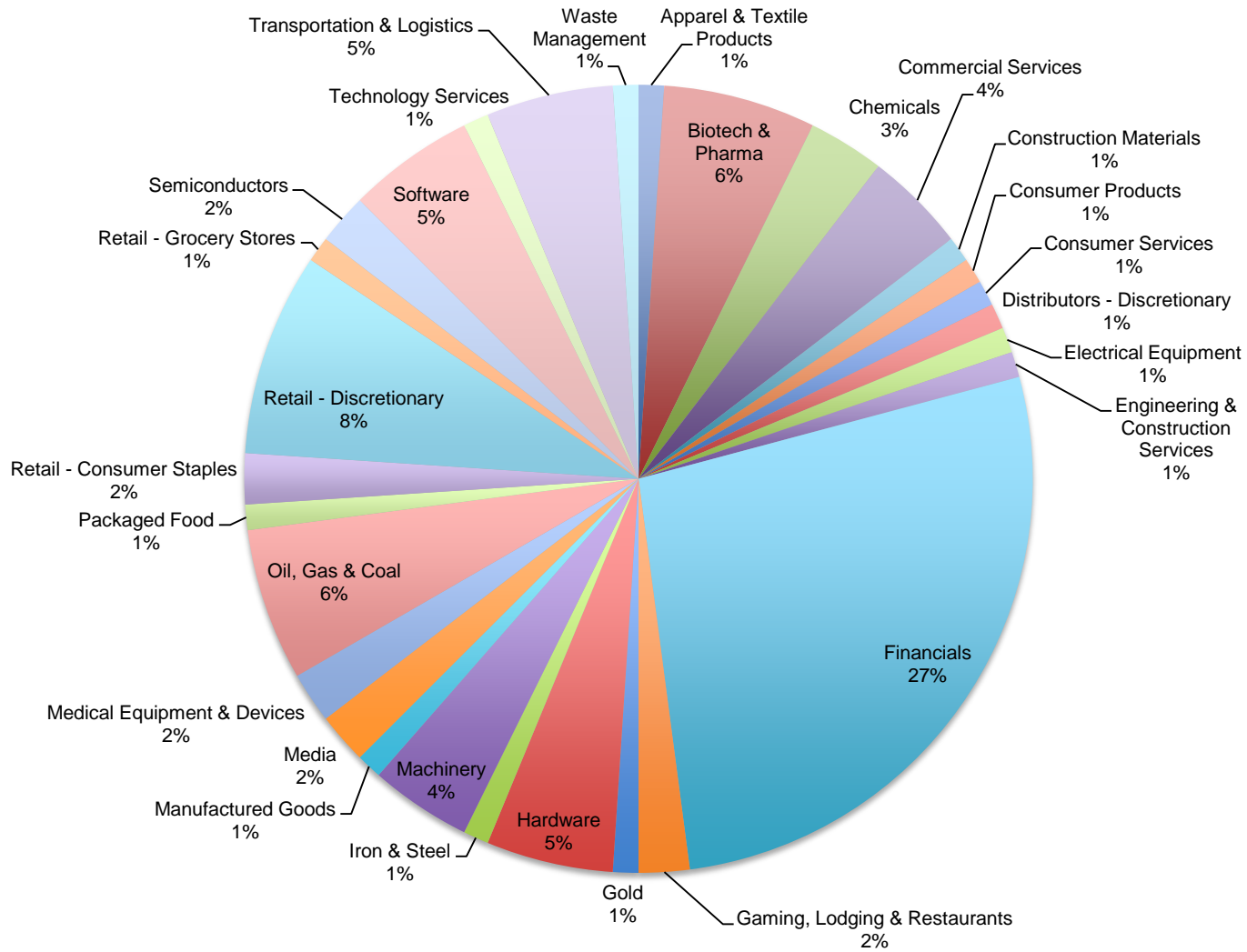
<u>Table of Hedge Fund Activity</u>	
Hedge Fund	Number of Investments
Bulldog Investors LLC	12
Ancora Advisors LLC	10
Icahn Associates Corp.	10
JANA Partners LLC	9
PL Capital LLC	7
Pershing Square Capital	6
Clinton Group, Inc.	5
Elliott Associates, LP	5
Relational Investors, Inc.	5
Seidman and Associates LLP	5
Karpus Mgt., Inc.	4
Bristol Investment Fund Ltd.	3
Cannell Capital LLC	3
Vector Capital LLC	3
Oaktree Capital Mgt. LP	2
Sandell Asset Management Corp.	2
Tennenbaum Capital Partners LLC	2
Barington Capital Group	1

Figure 1: Hedge Fund Activity



<u>Table Industries Invested in</u>	
Industry	Number of Investments
Financials	26
Biotech & Pharma	6
Hardware	5
Commercial Services	4
Machinery	4
Chemicals	3
Gaming, Lodging & Restaurants	2
Media	2
Medical Equipment & Devices	2
Apparel & Textile Products	1
Construction Materials	1
Consumer Products	1
Consumer Services	1
Distributors - Discretionary	1
Electrical Equipment	1
Engineering & Construction Services	1
Gold	1
Iron & Steel	1
Manufactured Goods	1

Figure Industries nested in



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Hedge Fund Activism Report Column Losses

Hedge Fund: Name of the hedge fund engaging in activism.

Schedule 13D(s): A Schedule 13D is commonly referred to as a “beneficial ownership report.” A beneficial owner includes any person who directly or indirectly shares voting or investment power. When a beneficial owner acquires ownership of more than 5% of a company’s equity securities voting class, they are required to file a Schedule 13D with the SEC.

Target Company: The company whose stock the hedge fund is purchasing.

Target Company Industry: The target company’s industry.

Activist Goals: The goals that the hedge fund aims to achieve with its investment include: (1) board representation, (2) board control, (3) removal of directors/officers, (4) enhancing corporate governance, and (5) maximizing shareholder value.

Ownership Percentage: The amount of stock the hedge fund acquires, represented as the percentage of company ownership.

Change in Stock Price: The short-term market impact of the hedge fund’s investment. This is the percentage change in stock price from the next business day and start date adjusted closing price.



Edge Fund Activism Report

Edge Fund	Coedule	Target Company	Target Industry	Activist Goals	Stake	Change in Stance
Ancora Advisors, LLC	<a href="#">1/17/13</a>	Cadus Corp.	Biotech & Pharma	Board Control, Maximize Shareholder Value	5.1%	+1.45%
	<a href="#">3/11/13</a>	Solitron Devices, Inc.	Semiconductors	Board Control, Maximize Shareholder Value	6.51%	0%
	<a href="#">3/22/13</a>	Autoinfo, Inc.	Transportation & Logistics	Maximize Shareholder Value	5.92%	+1.77%
	<a href="#">12/19/13</a>	Hubbell Inc.	Electrical Equipment	Maximize Shareholder Value	1.83%	-0.03%
	<a href="#">1/31/14</a> <a href="#">9/9/14</a>	Farmers National Banc Corp.	Financials	Enhance Corporate Governance	8.56%	0%
	<a href="#">2/13/14</a>	LNB Bancorp, Inc.	Financials	Maximize Shareholder Value	5.71%	-1.28%
	<a href="#">10/17/14</a> <a href="#">10/31/14</a>	Riverview Bancorp, Inc.	Financials	Maximize Shareholder Value	7.49%	+2.72%
	<a href="#">10/17/14</a>	Lakeland Industries, Inc.	Apparel & Textile Products	Maximize Shareholder Value	7.33%	-12.07%

	<a href="#">10/21/14</a>	Autobytel Inc.	Media	Board Representation	4.06%	-2.52%
	<a href="#">12/5/14</a>	Eagle Capital Growth Fund, Inc.	Financials	Maximize Shareholder Value	5.11%	+0.6%
Barington Capital Group	<a href="#">9/30/14</a>	Eastern Co.	Manufactured Goods	Board Control, Maximize Shareholder Value	22.95%	-2.26%
Bristol Investment Fund, Ltd.	<a href="#">1/9/13</a> <a href="#">8/7/13</a>	Genesis Biopharma, Inc.	Biotech & Pharma	Removal of Directors/Officers, Maximize Shareholder Value	26.49%	-0.69%
	<a href="#">2/15/13</a> <a href="#">2/27/14</a>	Wizard World, Inc.	Commercial Services	Board Representation	17.34%	-4.76%
	<a href="#">2/20/14</a>	Lion Biotechnologies, Inc.	Biotech & Pharma	Enhance Corporate Governance	21.16%	+2.94%
Bulldog Investors LLC	<a href="#">8/8/13</a> <a href="#">12/8/14</a>	Swiss Helvetia Fund, Inc.	Financials	Board Control	5.5%	+1.59%
	<a href="#">8/16/13</a> <a href="#">12/18/13</a>	Javelin Mortgage Investment Corp.	Financials	Board Control, Maximize Shareholder Value	5.48%	-7.62%
	<a href="#">8/29/13</a> <a href="#">2/10/14</a>	MVC Capital, Inc.	Financials	Maximize Shareholder Value	5.02%	+0.35%

<a href="#">9/30/13</a> <a href="#">8/7/14</a>	Helios Strategic Income Fund, Inc.	Financials	Maximize Shareholder Value	6.68%	0%
<a href="#">11/22/13</a> <a href="#">12/5/14</a>	Firsthand Technology Value Fund, Inc.	Financials	Board Representation, Maximize Shareholder Value	11.97%	-0.38%
<a href="#">4/21/14</a> <a href="#">5/16/14</a>	Madison Strategic Sector Premium Fund	Financials	Maximize Shareholder Value	6.07%	+1.05%
<a href="#">5/27/14</a> <a href="#">6/30/14</a>	Nuveen Global Income Opportunities Fund	Financials	Maximize Shareholder Value	9.66%	+0.16%
<a href="#">5/29/14</a> <a href="#">10/15/14</a>	Nuveen Diversified Currency Opportunities Fund	Financials	Maximize Shareholder Value	8.04%	-0.38%
<a href="#">7/10/14</a>	DWS High Income Opportunities Fund, Inc.	Financials	Maximize Shareholder Value	5.65%	+0.06%
<a href="#">9/22/14</a> <a href="#">9/30/14</a>	LMP Real Estate Income Fund, Inc.	Financials	Board Control, Maximize Shareholder Value	5.54%	+0.93%
<a href="#">11/17/14</a> <a href="#">12/29/14</a>	Alliance New York Municipal Income Fund	Financials	Board Control, Maximize Shareholder Value	9.09%	+0.31%
<a href="#">11/21/14</a>	Clough Global Equity Fund	Financials	Board Control	5.24%	-0.07%

Burton Partnership LP	<a href="#">1/25/13</a>	Crazy Woman Creek Bancorp, Inc.	Financials	Maximize Shareholder Value	24.97%	0%
Cannell Capital LLC	<a href="#">10/15/13</a> <a href="#">4/16/14</a>	Crumbs Bake Shop, Inc.	Packaged Food	Board Control, Maximize Shareholder Value	13.14%	+4.84%
	<a href="#">6/3/14</a>	ValueVision Media, Inc.	Retail - Discretionary	Board Control, Maximize Shareholder Value	5.60%	+7.19%
	<a href="#">5/23/14</a> <a href="#">8/4/14</a>	PMFG, Inc.	Machinery	Board Control, Maximize Shareholder Value	5.28%	-7.33%
Clinton Group, Inc.	<a href="#">1/14/13</a> <a href="#">8/13/13</a>	Digital Generation, Inc.	Media	Board Representation	5.9%	-1.71%
	<a href="#">4/18/13</a> <a href="#">5/13/13</a>	Gleacher & Company, Inc.	Financials	Board Representation	3.6%	+6.13%
	<a href="#">9/20/13</a>	ROI Acquisition Corp. II	Financials	Board Control, Maximize Shareholder Value	17.8%	+0.50%
	<a href="#">9/30/13</a> <a href="#">3/31/14</a>	NutriSystem, Inc.	Consumer Services	Board Control, Maximize Shareholder Value	5.9%	+3.85%
	<a href="#">10/30/13</a> <a href="#">2/6/14</a>	ValueVision Media, Inc.	Retail - Discretionary	Board Control, Removal of Directors/Officers, Maximize Shareholder Value	5.7%	+3.69%

D. E. Shaw Valence Portfolios, LLC	<a href="#">6/16/14</a> <a href="#">7/3/14</a>	Furiex Pharmaceuticals, Inc.	Biotech & Pharma	Maximize Shareholder Value	6.8%	-0.02%
Dolphin Limited Partnership III, LP	<a href="#">3/18/13</a>	Rimage Corp.	Hardware	Board Control, Maximize Shareholder Value	6.5%	+2.66%
Elliott Associates, LP	<a href="#">11/8/13</a> <a href="#">11/17/14</a>	Riverbed Technology, Inc.	Hardware	Board Control, Board Representation	16%	+2%
	<a href="#">1/13/14</a> <a href="#">2/24/14</a>	Juniper Networks, Inc.	Hardware	Board Control, Board Representation	10.2%	-1.78%
	<a href="#">3/10/14</a>	Boyd Gaming Corp.	Gaming, Lodging & Restaurants	Board Control, Board Representation	8.23%	+16.53%
	<a href="#">5/9/14</a> <a href="#">11/10/14</a>	Emulex Corp.	Hardware	Board Control, Board Representation	5.1%	-4.16%
	<a href="#">12/11/14</a>	Family Dollar Stores, Inc.	Retail - Consumer Staples	Board Control, Board Representation	11.3%	-0.29%
ESL Partners, LP	<a href="#">4/8/14</a>	Lands' End, Inc.	Retail - Discretionary	Board Control, Board Representation	44.4%	-2.60%
Greenlight Capital	<a href="#">10/9/14</a>	Civeo Corp.	Commercial Services	Maximize Shareholder Value	6.4%	+1.63%

Henry Partners LP	<a href="#">5/22/13</a> <a href="#">4/1/14</a>	Smith Midland Corp.	Construction Materials	Maximize Shareholder Value	6.5%	-2.84%
Hovde Capital Advisors	<a href="#">11/21/13</a>	ePlus, Inc.	Distributors - Discretionary	Maximize Shareholder Value	7.66%	+0.15%
Hummingbird LLC	<a href="#">9/17/13</a> <a href="#">10/11/13</a>	Aeropostale Inc.	Retail - Discretionary	Board Control, Maximize Shareholder Value	7.96%	+0.78%
Icahn Associates Corp.	<a href="#">1/25/13</a> <a href="#">7/24/14</a>	CVR Refining, LP	Oil, Gas & Coal	Board Representation, Maximize Shareholder Value	70%	+1.38%
	<a href="#">2/14/13</a> <a href="#">3/24/14</a>	Herbalife Ltd.	Consumer Products	Board Representation, Maximize Shareholder Value	12.98%	+1.23%
	<a href="#">5/10/13</a> <a href="#">10/30/13</a>	Dell Inc.	Hardware	Board Representation, Maximize Shareholder Value	4.52%	+0.52%
	<a href="#">8/29/13</a> <a href="#">12/4/13</a>	Nuance Communications, Inc.	Software	Board Representation, Maximize Shareholder Value	18.72%	+0.64%
	<a href="#">10/7/13</a> <a href="#">12/2/13</a>	Talisman Energy Inc.	Oil, Gas & Coal	Board Representation, Maximize Shareholder Value	7.37%	-1.69%
	<a href="#">11/21/13</a> <a href="#">12/12/13</a>	Hologic, Inc.	Medical Equipment & Devices	Board Representation, Maximize Shareholder Value	12.63%	-0.59%

	<a href="#">6/6/14</a> <a href="#">7/30/14</a>	Family Dollar Stores, Inc.	Retail - Consumer Staples	Board Representation, Maximize Shareholder Value	9.39%	+13.37%
	<a href="#">7/9/14</a>	Seventy Seven Energy Inc.	Oil, Gas & Coal	Board Representation, Maximize Shareholder Value	9.98%	+1.75%
	<a href="#">8/20/14</a> <a href="#">12/17/14</a>	Hertz Global Holdings, Inc.	Retail - Discretionary	Board Representation, Maximize Shareholder Value	8.48%	-0.76%
	<a href="#">12/29/14</a>	The Manitowoc Company, Inc.	Machinery	Board Representation, Maximize Shareholder Value	7.77%	-1.97%
JANA Partners LLC	<a href="#">4/11/13</a> <a href="#">9/20/13</a>	Ashland, Inc.	Chemicals	Board Control, Maximize Shareholder Value	8.4%	+9.93%
	<a href="#">4/29/13</a> <a href="#">6/27/14</a>	Oil States International Inc.	Oil, Gas & Coal	Maximize Shareholder Value	4.9%	+1.96%
	<a href="#">9/17/13</a> <a href="#">12/4/13</a>	Safeway, Inc.	Retail - Grocery Stores	Board Control, Maximize Shareholder Value	6.2%	+1.16%
	<a href="#">2/27/14</a> <a href="#">3/17/14</a>	URS Corp.	Engineering & Construction Services	Maximize Shareholder Value	9.8%	+0.27%
	<a href="#">10/4/13</a> <a href="#">4/10/14</a>	Outerwall, Inc.	Retail - Discretionary	Board Control, Maximize Shareholder Value	13.5%	+3.96%

	<a href="#">10/21/13</a> <a href="#">10/15/14</a>	QEP Resources, Inc.	Oil, Gas & Coal	Board Control, Maximize Shareholder Value	7.5%	+5.82%
	<a href="#">6/9/14</a> <a href="#">12/31/14</a>	Civeo Corp.	Commercial Services	Board Control, Maximize Shareholder Value	11.5%	+3.01%
	<a href="#">7/3/14</a> <a href="#">12/15/14</a>	PetSmart, Inc.	Retail - Discretionary	Maximize Shareholder Value	9.8%	+2.48%
	<a href="#">10/20/14</a> <a href="#">11/19/14</a>	Hertz Global Holdings, Inc.	Retail - Discretionary	Maximize Shareholder Value	7%	+3.79%
Karpus Mgt., Inc.	<a href="#">6/16/14</a>	Nuveen Dividend Advantage Municipal Fund	Financials	Board Control, Maximize Shareholder Value	9.34%	+0.14%
	<a href="#">6/20/14</a>	Nuveen Select Quality Municipal Fund, Inc.	Financials	Board Control, Maximize Shareholder Value	5.14%	+0.07%
	<a href="#">10/8/14</a> <a href="#">10/31/14</a>	Cutwater Select Income Fund	Financials	Board Control, Maximize Shareholder Value	8.59%	+0.26%
	<a href="#">11/10/14</a> <a href="#">11/17/14</a>	Western Asset Managed Municipals Fund, Inc.	Financials	Board Control	9.88%	-0.45%
Nierenberg Investment Management Company, Inc.	<a href="#">6/16/14</a> <a href="#">8/25/14</a>	Rosetta Stone, Inc.	Software	Enhance Corporate Governance, Maximize Shareholder Value	7.9%	-0.34%



Oaktree Capital Mgt. LP	<a href="#">8/5/13</a>	Star Bulk Carriers Corp.	Transportation & Logistics	Maximize Shareholder Value	18.6%	+3.80%
	<a href="#">7/15/14</a>					
	<a href="#">10/24/14</a>	Eagle Bulk Shipping, Inc.	Transportation & Logistics	Maximize Shareholder Value	41.9%	-1.49%
Pershing Square Capital	<a href="#">4/25/13</a>	Valor Gold Corp.	Gold	Maximize Shareholder Value	32.4%	+5%
	<a href="#">6/3/13</a>					
	<a href="#">7/31/13</a>	Air Products and Chemicals, Inc.	Chemicals	Board Control, Maximize Shareholder Value	9.8%	-1.28%
	<a href="#">9/26/13</a>					
	<a href="#">11/15/13</a>	Federal Home Loan Mortgage Corp.	Financials	Board Control, Maximize Shareholder Value	9.77%	-12.66%
	<a href="#">4/21/14</a>	Allergan, Inc.	Biotech & Pharma	Board Control, Maximize Shareholder Value	8.9%	+15.25%
	<a href="#">1/21/14</a>					
<a href="#">10/7/14</a>	Platform Specialty Products Corp.	Chemicals	Board Control, Maximize Shareholder Value	26.1%	-0.07%	
<a href="#">11/12/14</a>	Zoetis Inc.	Biotech & Pharma	Board Control, Maximize Shareholder Value	8.3%	+0.27%	
<a href="#">12/5/14</a>						
PL Capital LLC	<a href="#">4/4/13</a>	MutualFirst Financial, Inc.	Financials	Board Control	7.9%	+0.56%
	<a href="#">6/16/14</a>					

	<a href="#">2/14/13</a> <a href="#">5/20/14</a>	BankFinancial Corp.	Financials	Board Control	6.4%	+0.83%
	<a href="#">5/16/13</a>	First Advantage Bancorp	Financials	Board Control	4.3%	+5.6%
	<a href="#">1/3/14</a>	Old Point Financial Corp.	Financials	Board Control	4.5%	+4.44%
	<a href="#">3/24/14</a> <a href="#">10/21/14</a>	Metro Bancorp, Inc.	Financials	Board Control	7.2%	-0.62%
	<a href="#">6/9/14</a> <a href="#">8/19/14</a>	Banc of California, Inc.	Financials	Enhance Corporate Governance	6.5%	-1.31%
	<a href="#">8/11/14</a> <a href="#">3/24/14</a>	LNB Bancorp, Inc.	Financials	Board Control	7.5%	+6.59%
Relational Investors, Inc.	<a href="#">2/25/13</a> <a href="#">11/28/14</a>	SPX Corp.	Machinery	Board Control, Maximize Shareholder Value	10.44%	+0.57%
	<a href="#">12/20/13</a> <a href="#">10/3/14</a>	Hologic, Inc.	Medical Equipment & Devices	Board Control, Maximize Shareholder Value	7.3%	+0.56%
	<a href="#">4/24/14</a>	Clean Harbors, Inc.	Waste Management	Board Control, Enhance Corporate Governance, Maximize Shareholder Value	9.08%	+4.98%

	<a href="#">6/26/14</a>	The Manitowoc Company, Inc.	Machinery	Enhance Corporate Governance, Maximize Shareholder Value	8.52%	+10.84%
	<a href="#">7/10/14</a>	TimkenSteel Corp.	Iron & Steel	N/A	2.99%	-3.85%
Riley Investment Management LLC	<a href="#">3/11/14</a> <a href="#">8/29/14</a>	STR Holdings, Inc.	Semiconductors	Board Control, Removal of Directors/Officers	13.4%	+0.77%
Sandell Asset Management Corp.	<a href="#">6/9/14</a> <a href="#">11/20/14</a>	Meritor, Inc.	Transportation Equipment	Board Control, Maximize Shareholder Value	3%	+0.86%
	<a href="#">9/24/13</a> <a href="#">9/24/14</a>	Bob Evans Farms, Inc.	Gaming, Lodging & Restaurants	Board Control, Maximize Shareholder Value	7.5%	-0.27%
Seidman and Associates LLP	<a href="#">9/12/13</a> <a href="#">7/30/14</a>	Fox Chase Bancorp, Inc.	Financials	Maximize Shareholder Value	1.5%	+4.28%
	<a href="#">5/1/14</a> <a href="#">10/23/14</a>	Cheviot Financial Corp.	Financials	Maximize Shareholder Value	1.98%	+1.04%
	<a href="#">6/9/14</a>	Westbury Bancorp, Inc.	Financials	Maximize Shareholder Value	1.45%	+1.51%
	<a href="#">8/22/14</a> <a href="#">9/4/14</a>	Prudential Bancorp, Inc.	Financials	Maximize Shareholder Value	1.19%	-0.66%

	<a href="#">11/19/14</a>	Polonia Bancorp, Inc.	Financials	Maximize Shareholder Value	1.12%	+4.17%
Tennenbaum Capital Partners LLC	<a href="#">1/31/14</a> <a href="#">3/20/14</a>	Euroseas, Ltd.	Transportation & Logistics	Board Control, Maximize Shareholder Value	23.3%	-0.76%
	<a href="#">12/9/14</a>	Rightside Group, Ltd.	Technology Services	Board Control, Maximize Shareholder Value	5.1%	-1.32%
Third Point LLC	<a href="#">8/26/13</a> <a href="#">5/6/14</a>	Sotheby's	Commercial Services	Board Control, Maximize Shareholder Value	9.64%	-2.65%
Vector Capital IV, LP	<a href="#">5/30/13</a>	Websense, Inc.	Software	Board Control, Maximize Shareholder Value	6.3%	+0.08%
	<a href="#">5/28/14</a> <a href="#">11/6/14</a>	Actuate Corp.	Software	Board Control, Maximize Shareholder Value	7.25%	+0.63%
	<a href="#">11/26/14</a>	ChyronHego Corp.	Software	Maximize Shareholder Value	51.7%	-1.41%
Whitebox Advisors LLC	<a href="#">4/22/14</a>	Dune Energy, Inc.	Oil, Gas & Coal	Board Control, Enhance Corporate Governance, Maximize Shareholder Value	5.09%	-11.22%