

SULLIVAN & CROMWELL LLP

Lawyers



Stephen Ehrenberg

Partner

New York

+1-212-558-4000

+1-212-558-3588

ehrenbergs@sullcrom.com

PRACTICES & CAPABILITIES

Alternative Investment Management

Litigation

Congressional Investigations

Criminal Defense & Investigations

Whistleblower Litigation and
Workplace Investigations

Cybersecurity

EDUCATION

2002, Boston University School of
Law, J.D.

1998, Northeastern University, B.S.

BAR ADMISSIONS

New York

Stephen Ehrenberg is a member of the Firm's Litigation Group. He represents global and U.S. companies and financial institutions in complex securities, commodities and antitrust litigation, regulatory enforcement matters and corporate internal investigations.

Mr. Ehrenberg has recently represented corporate and individual clients before the Department of Justice, the Securities and Exchange Commission, the Commodity Futures Trading Commission, the U.S. Congress, numerous state attorneys general and various exchanges and self-regulatory organizations.

Mr. Ehrenberg was a member of the S&C team in *Cole v. Arkansas*, a lawsuit that successfully challenged the constitutionality of a voter-initiated Arkansas statute prohibiting cohabiting couples from serving as adoptive or foster parents. He serves as Co-Chair of the Membership Committee of the New York American Inn of Court.

Rankings and Recognitions

New York Super Lawyers – recognized as a "Rising Star" in the area of Criminal Defense: White Collar (2011, 2012, 2013, 2014)

SELECTED REPRESENTATIONS

Lead counsel to The Bank of Nova Scotia, and Court appointed Liaison Counsel on behalf of all defendants, in twenty-six class actions consolidated in the Southern District of New York, alleging claims under the Commodity Exchange Act and the

Sherman Antitrust Act for purported manipulation of gold and gold derivatives prices.

Lead counsel to The Bank of Nova Scotia in six class actions consolidated in the Southern District of New York, alleging claims under the Commodity Exchange Act and the Sherman Antitrust Act for purported manipulation of silver and silver derivatives prices.

Lead counsel to a financial institution in five class actions consolidated in the Southern District of New York, alleging claims under the Commodity Exchange Act and the Sherman Antitrust Act for purported manipulation of platinum and palladium and platinum and palladium derivatives prices.

Louis Dreyfus Commodities LLC, one of the world's largest cotton merchandisers, in a high profile class action asserting claims against LDC and its affiliates for alleged manipulation and monopolization of the cotton futures market during the turbulent summer of 2011.

A prominent high frequency market maker in foreign and domestic regulatory investigations.

A major asset manager and investment adviser (\$1 trillion+ AUS) in a variety of SEC matters including:

- an examination and enforcement investigation focusing on purported "errors" in a quantitative investment model, which concluded with no action taken against the firm;
- an examination focusing on misreporting of fund yields, which concluded with no action taken against the firm;
- and
- an ongoing enforcement investigation focusing on conflicts of interest in the private equity space.

A major international investment bank in a global investigation by banking authorities, securities and commodities regulators, and criminal prosecutors around the world regarding alleged manipulation of foreign currency exchange rates.

Moody's Investors Service in a variety of matters arising out of the company's role in the subprime securitization market, including:

- before several state attorneys general in connection with inquiries into practices for rating subprime instruments, including publicly announced investigations conducted by New York, California, Connecticut and Ohio;
- before the SEC in a much-publicized investigation – that ended with no charges being filed against the Company – of an alleged cover-up of an error in the model used for rating constant proportion debt obligations;
- in proceedings conducted in June 2010 by the Financial Crisis Inquiry Commission, which focused on Moody's as the Commission's "test case" for examination of the

credit-rating industry; and
in shareholder class action and derivative litigation
concerning Moody's ratings of mortgage-backed
securities.

A broker in a week-long FINRA arbitration where the claimant sought over \$1 million in disgorgement and compensatory damages for a variety of claims including churning, unsuitability, breach of fiduciary duty and negligence in personal securities accounts and accounts for which the claimant was a trustee. The Panel's decision denied all claims with prejudice, and allocated all hearing fees to the claimant.

A former director of a major video game publisher in the successful resolution of internal and governmental investigations of alleged "backdating" of stock options. Obtained the settlement or dismissal of all related civil litigation, with S&C's client not required to contribute anything to the settlement.

The former CEO of Affiliated Computer Systems, Inc. ("ACS") in connection with an investigation by the Securities and Exchange Commission and the U.S. Attorney's Office for the Southern District of New York relating to the company's practices involving grants of stock options. The SEC settled fraud charges against ACS but did not bring charges against S&C's client. Also successfully represented the former CEO in related shareholder derivative litigation brought in federal court in Texas.

STROOCK

JERRY H. GOLDFEDER

SPECIAL COUNSEL, NEW YORK



Contact Information

Tel: (212) 806-5857
Fax: (212) 806-6006
jgoldfeder@stroock.com

Practice Group

Litigation

Government Relations

Education

J.D., Benjamin N. Cardozo
School of Law, Yeshiva
University, 1979; *Cardozo Law
Review*

M.A., University of California,
Los Angeles, 1972; Political
Science

B.A., Brooklyn College, 1968

Jerry H. Goldfeder is a nationally-acclaimed election and campaign finance lawyer with 35 years of trial and appellate experience. His practice includes representing elected officials, candidates for public office, unions, partnerships and corporations in the areas of ballot access, campaign finance, voting rights and public integrity investigations and prosecutions.

Prior to joining Stroock, Mr. Goldfeder served as Special Counsel to New York State Attorney General Andrew M. Cuomo, where his portfolio included public integrity matters. He also served as Special Counsel to the New York State Senate Democratic Conference under then-Senator David A. Paterson.

Mr. Goldfeder teaches "Election Law and the Presidency" at the University of Pennsylvania Law School and Fordham Law School, where he was recently selected as Adjunct Professor of the Year for 2015. He is the author of the treatise *Goldfeder's Modern Election Law*, now in its Third Edition and is a regular columnist with the *New York Law Journal* ("Government and Election Law"), *Law.com* ("Law and Politics") and *City & State* ("Politics & Law"). In addition, Mr. Goldfeder regularly appears in the media as an expert on elections and politics.

He also delivers the annual lecture "How to Decide an Election Case" to the Justices and attorneys of the Appellate Division, Second Department, and serves as Chair of the Committee on New York City Affairs of the Association of the Bar of the City of New York.

Mr. Goldfeder's work and accomplishments have been recognized by a number of publications, including most recently in *City & State's* inaugural "[50 Over 50](#)" special edition (April 2016). He was also profiled in the *New York Law Journal* piece "[Q&A: Jerry Goldfeder](#)" (July 20, 2012), in *City & State's* "[Ballot Barristers: Inside The Select World Of New York City Election Attorneys](#)" (February 26, 2013) and in the *New York Times* feature "[Public Lives: An Experienced Guide on the Electoral Paper Trail](#)" (August 14, 2001). In addition, he was highlighted in *Crain's* "[Goldfeder's Election Arcana](#)" (October 28, 2012).

Mr. Goldfeder has also been named a "New York Influencer" by Campaigns & Elections, and was named by the *New York Observer* as one of the most politically powerful people in New York City.

Honors and Awards

Mr. Goldfeder was selected as Adjunct Professor of the Year by Fordham Law School for 2015.

Mr. Goldfeder has also been honored by the Metropolitan Council on Jewish Poverty with the Tzedek Award for his work as an advocate for New Yorkers in need.

Memberships

- Board of Trustees, Museum of the City of New York, 2014–present
- Board of Directors, Latino Leadership Institute, 2015–present
- Board of Directors, Bella Abzug Leadership Institute, 2005–2015
- Board of Directors, New York Chapter, American Constitution Society, 2010–present
- Board of Directors, Judges and Lawyers Breast Cancer Alert, 2006–2014
- Member, Democratic Party National Convention Platform Committee, 2012
- Member, New York State Bar Association
 - Chair, Election Law and Government Affairs Committee (General Practice Section), May 2010–2015
- Member, Association of the Bar of the City of New York
 - Chair, Committee on New York City Affairs, 2015–present
 - Chair, Special Committee on Election Law, 2007–2010
 - Member, Special Committee on Election Law, 1987–2010

Speeches and Events

Mr. Goldfeder is a frequent speaker and has participated in many legal symposiums and seminars. A complete list of previous presentations are available upon request. His most recent engagements include:

- “The Appearance of Corruption: Following the Money Trail in Federal Elections,” University of Pennsylvania Law School, April 21, 2016
- “Home Rule in an Era of Municipal Innovation: Reviving the Right to Self-Government,” Fordham Law School, April 7, 2016
- “The Electoral College and the Nominating Process,” Southampton Democratic Club, April 3, 2016
- “Getting on the Ballot in NYC,” New York City Bar Association, February 1, 2016
- “Money, Politics and Corruption,” New York University, October 21, 2015
- “Complying with the New York Election Laws,” Latino Leadership Institute, October 3, 2015
- “Running for Office and Ballot Access,” Latino Leadership Institute, October 3, 2015
- “Judicial Elections After *Citizens United*,” Cardozo Law School, April 20, 2015
- “Voting Reforms and Restrictions; Campaign Finance and the US Supreme Court,” Medgar Evers College, April 17, 2015
- “Charter Revision in New York City,” Bay Ridge Democratic Club, April 9, 2015
- “Enacting Democracy in New York City,” Four Freedoms Democratic Club, March 31, 2015
- “Legal Issues to Watch For in the 2016 Presidential Election,” Harvard Law School, March 27, 2015
- “Independent Expenditures & the Role of the Press,” Campaign Finance: The Current State of Affairs & Where We Go From Here, New York City Bar Association, March 24, 2015
- “Campaign Finance Compliance,” New Leaders Council, March 22, 2015
- “Political Action Training–Petitioning: First Step in Running for Public Office,” The Murphy Institute, February 7, 2015

- “Searching for a Formula: The Right to Vote and Federal Election Regulation,” The Federalist Society, University of Pennsylvania Law School, February 6, 2015
- “Regulating Campaign Finance Compliance: Are We Criminalizing Politics?” University of Pennsylvania Law School, January 24, 2015
- “Voting & Civil Rights: A Secular, Labor and Religious Discussion,” Latino Leadership Institute, December 11, 2014
- “Ballot Access: Pitfalls to Avoid,” Latino Leadership Institute, October 11, 2014
- “Residency Requirements in New York,” Fordham Law School, September 30, 2014
- “How to Decide an Election Case,” Appellate Division, Second Department, July 22, 2014
- “Voter Disenfranchisement Issues,” The Network of Bar Leaders, June 23, 2014
- “Current Trends in Election Law,” NYC Bar Association Committee on New York City Affairs, April 22, 2014
- “Making Sense of the Bronx ‘Switcheroo,’” *New York Law Journal*, October 7, 2015
- “Imagine If Presidential Elections Were Like a TV Comedy; An absurd-but possible-outcome when the electoral college vote is tied,” *The National Law Journal*, August 10, 2015
- “State Legislatures Adjourning, But Voting Rights Still Center Stage,” *New York Law Journal*, August 5, 2015
- “Donald Trump? How About President Selina?” *Law.com*, July 14, 2015
- “Alabama and Albany Minority Voters Get Wins,” *New York Law Journal*, April 10, 2015
- “Federal Actions Bring Election Matters to the Forefront,” *New York Law Journal*, February 27, 2015
- “Government and Election Law: Year-End Round Up on Elections and Voting Rights,” *New York Law Journal*, January 5, 2015
- “Hillary: Keep Your Eye on the ‘Magic Number,’” *Law.com*, December 4, 2014
- “Is Eight Enough?” *City & State*, November 24, 2014
- “Has the Residency Requirement for Governor Overstayed its Welcome?” *Albany Times Union*, September 14, 2014
- “The Governor Challenges His Opponent’s Residency,” *New York Law Journal*, August 6, 2014
- “Why Frank Mackay Should Worry About Tim Wu,” *City & State*, July 16, 2014
- “Grimm Scenarios,” *City & State*, April 28, 2014

Publications

Mr. Goldfeder is the author or co-author of numerous articles. A complete list of previously published articles are available upon request. Selected publications include:

- “Electing The President: Rules And Laws,” *New York Law Journal*, April 18, 2016
- “Scrapping the Iowa-New Hampshire Obsession,” *Texas Lawyer*, February 8, 2016
- “Voting Reform Prominent in Two Executive Addresses,” *New York Law Journal*, February 5, 2016
- “Time To Scrap The Iowa-New Hampshire Obsession,” *Law.com*, January 29, 2016
- “Year-End Roundup: Significant State and Federal Developments,” *New York Law Journal*, December 17, 2015
- “Beware the Poo-Bahs?” *City & State*, December 18, 2015

Admitted to Practice

New York, 1980; U.S. District Court, Southern District of New York, 1980; U.S. District Court, Eastern District of New York, 1980; U.S. Court of Appeals, Second Circuit, 2005; U.S. Court of Appeals, Eighth Circuit, 2014; U.S. Supreme Court, 2014

- [Home](#)
- [Practice Areas](#)
- [Our Lawyers](#)
- [Careers](#)
- [Contact US](#)

Lawyers

Howard J. Kaplan

Howard J. Kaplan is a founding partner of Kaplan Rice LLP. He is an experienced trial lawyer and has litigated cases in federal and state courts throughout the United States. He specializes in securities litigation, regulatory and criminal matters, and complex business disputes. He regularly represents clients in matters involving federal and state securities laws, business torts, fraud claims, fiduciary duty issues, corporate governance matters, employment disputes, and contract and licensing matters. Mr. Kaplan has extensive experience representing financial services institutions (including investment banks, hedge funds and private equity firms) and their partners, employees and investors in all manner of disputes relating to the financial services industry. Mr. Kaplan also has extensive experience representing clients in connection with investigations, including internal investigations and investigations and proceedings by the Securities & Exchange Commission, the U.S. Department of Justice, State Attorneys General, FINRA and other governmental and self regulatory agencies. His clients include corporations, investment banks, hedge funds, venture capital firms, real estate developers, lawyers and law firms, and officers, directors and shareholders of public and private companies.

Notable representations include:

- Trial counsel for an energy company pursuing fraud claims arising out of its acquisition of an energy trading unit;
- Trial counsel in an international arbitration involving fraud allegations in connection with a \$1 billion hotel and casino project in the Bahamas;
- Trial counsel for a hedge fund in connection with a dispute involving an investment in two oil tankers;
- Trial counsel for an online options trading broker in a FINRA arbitration involving allegations of fraud, negligence and breach of contract;
- Representing a boutique investment bank in a series of litigations arising out of alleged losses on Swap transactions resulting from the failure of Lehman Brothers;

- Representing clients in numerous highly publicized fraud investigations, both civil and criminal, including among others the mutual fund "market timing" investigations, stock option "backdating" investigations, and investigations relating to Refco, Collins & Aikman and Bernard Madoff Securities;
- Representing an investor in connection with fraud claims against an investment bank arising out of a \$700 million derivative product;
- Representing and advising clients with respect to securities and contractual issues in connection with bankruptcy proceedings (including representing the "Step One" creditors in the Tribune bankruptcy and the "TPS Group" in the Washington Mutual bankruptcy);
- Representing an investment bank against claims arising out of an RMBS offering;
- Defending clients in class action lawsuits and "multidistrict litigation" matters, including the Mutual Fund Market Timing MDL and the Municipal Derivatives MDL;
- Defending a senior officer of Dow Chemical Company against allegations that he secretly planned a leveraged buyout of the company;
- Representing an investment bank in connection with litigation arising out of a county government's losses from trading derivative securities; and
- Representing a beer manufacturer in a dispute with its largest United States distributor regarding the right to distribute "Bass Ale" in the United States.

[Top of Page](#)

Contact:

hkaplan@kaplanrice.com

[Vcard](#)

Education

New York Law School, J.D., *magna cum laude*, 1988
 Managing Editor, New York Law School Law Review

State University of New York at Albany, B.S. in Chemistry, 1982

Clerkship:

Hon. Edmund L. Palmieri, United States District Court for the Southern District of New York, 1988-1989

Panels:

American Bar Association, Section of Litigation Annual Conference, *The Lessons of the Raj Rajaratnam Trial: Be Careful Who's Listening*, Panel Chair, April 20, 2012

American Bar Association, Section of Litigation, *Cooperating with the Government and Waiving Privilege in Corporate Investigations*, Expert Faculty, March 10, 2009.

New York Inn of Court, *Is Our Criminal Justice System in Crisis? Balancing the Interests of the Government, Corporations, and Individuals in White Collar Criminal Investigations and Prosecutions*, Moderator, February 28, 2008.

Publications:

The History and Law of Wiretapping, American Bar Association, Section of Litigation Annual Conference (April 2012)

The Law of Insider Trading, American Bar Association, Section of Litigation Annual Conference (April 2012)

Criminal Intent And The So-Called "Red Flag" Theory, Stanley S. Arkin and Howard J. Kaplan, BUSINESS CRIMES BULLETINS (October 2011)

Coerced Cooperation Policy Threatens Employee Rights, Stanley S. Arkin and Howard J. Kaplan, NEW YORK LAW JOURNAL (May 11, 2005).

Note, "Bystander Recovery: A Policy Oriented Approach," N.Y.L. Sch. L. Rev., 1989.

Admissions:

New York State

U.S. District Court for the Southern District of New York

U.S. District Court for the Eastern District of New York

U.S. District Court for the Eastern District of Michigan

U.S. Court of Federal Claims

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the District of Columbia Circuit

Bar Memberships:

American Bar Association
Co-Chair, White Collar and Investigations Sub-Committee

Association of the Bar of the City of New York, Securities Regulation Committee

Institute of Financial Market Regulation Advisory Board,
New York State Bar Association
New York American Inn of Court



142 West 57th Street
Suite 4A
New York, NY 10019
tel: 212-235-0300
info@kaplanrice.com

Locke Lord^{LLP}



Maria A. Scungio

Partner
New York
T: 212-912-2909

maria.scungio@lockelord.com

Overview

Maria Scungio is Co-Chair of the Firm's Trademark, Copyright and Advertising Group. Maria's intellectual property practice includes advising clients on worldwide trademark portfolios for well-known marks in the fields of apparel, beverage alcohol, music entertainment, plastics and pharmaceuticals, including counseling on trademark availability, bringing counterfeit and infringement actions and initiating opposition and cancellation actions. Maria has advised on strategic issues affecting the exploitation, enforcement, acquisition, divestiture and realignment of intellectual property rights, including copyrights and design rights. Maria has partnered with clients to serve as interim in-house intellectual property counsel during corporate transitions. Maria has also litigated cases before the Federal trial courts and the Trademark Trial and Appeal Board, acting for plaintiffs and defendants, involving trademarks for diverse consumer products and communication services.

Maria was previously a partner in a boutique intellectual property practice. She began her legal career as a law clerk to the Hon. Jane A. Restani in the U.S. Court of International Trade in New York. She subsequently spent seven years with the largest intellectual property practice in the U.S., as an associate and as partner, until its merger. Prior to her law practice, Maria worked in the trade publishing industry.

Representative Experience

- Provided intellectual property due diligence advice in the \$5 billion sale of a worldwide haircare business, and the \$2 billion acquisition of a famous beverage brand and operations.
- Assisted clients in the development of in-house intellectual property management and establishment of best practices for preserving intellectual property rights.
- Counseled on the licensing and enforcement of trademarks, copyrights and design rights for fashion, luxury and consumer goods brands internationally.

Professional Affiliations

- Member, American Bar Association
- Member, New York Intellectual Property Law Association
- Member, International Association for the Protection of Intellectual Property

Recent News

Edwards Wildman's Maria Scungio Examines How to Stop Goods in Transit in Managing IP

News

04/05/2013

Practices

Intellectual Property
Trademark, Copyright & Advertising

Industry Groups

Consumer Products,
Retail & Franchise

Education

J.D., Fordham University
School of Law, 1993

B.A./M.A., with honors,
University of
Pennsylvania, 1987

Admissions

New York
Connecticut

Admitted To Practice

U.S. Supreme Court
U.S. Court of Appeals for
the Seventh Circuit
U.S. District Court for
the Southern District of
New York
U.S. District Court for
the Eastern District of
New York
U.S. District Court for
the Western District of
Michigan
United States Court of
International Trade

Edwards Wildman Featured in World Trademark Review 1000 'Top 25'

News

March 2012

EAPD Launches Retail Industry and Consumer Products Practice Group

News

February 22, 2011

[View All](#)

Recent Publications and Presentations

Protecting Your Brand From Counterfeiters

Outside Publication

Co-Author

World Trademark Review

August/September 2014

Food and Drug Administration Review Process v Traditional Trademark Clearance

Outside Publication

Co-Author

World Trademark Review, Issue 33

October/November 2011

[View All](#)

Recognitions

Edwards Wildman Achieves Impressive Rankings in the World Trademark Review 1000

Awards & Recognitions, News

January 31, 2014

[View All](#)



David Straite

Of Counsel

David Straite joined the New York office of Kaplan Fox in 2013. He focuses on digital privacy litigation, helping to protect consumer privacy in class actions against Facebook, Google, Yahoo and others. In 2012, M.I.T. Technology Review magazine called Mr. Straite “something of a pioneer” in digital privacy litigation. Mr. Straite also protects investors in securities, corporate governance, and hedge fund litigation, including co-leading a class action against Citigroup on behalf of investors in the Corporate Special Opportunities hedge fund. Prior to joining the firm, Mr. Straite helped launch the US offices of London-based Stewarts Law LLP, where he was the global head of investor protection litigation, the partner in residence in New York, and a member of the US executive committee. Prior to Stewarts Law he worked in the Delaware office of Grant & Eisenhofer and the New York office of Skadden Arps.

Mr. Straite speaks frequently on topics related to both privacy and investor protection. Most recently he was a featured panelist at the St. John’s University “Cyber Law” CLE weekend in February 2016. Prior events include speaking on the hedge fund panel at the February 6, 2013 meeting of the National Association of Public Pension Attorneys in Washington, D.C. (“Structuring Investments – Do I Get to Go to the Cayman Islands?”); debating the general

counsel of Meetup, Inc. during 2013 Social Media Week (“David vs. Goliath: the Global Fight for Digital Privacy”); and giving a guest lecture on the Legal Talk Network’s “Digital Detectives” podcast. He has also given interviews to Channel 10 (Tel Aviv), BBC World News (London), SkyNews (London), CBS Ch. 2 (New York) and CBS news radio (Philadelphia). Mr. Straite is also an adjunct professor at Yeshiva University's Sy Syms School of Business, teaching Business Law and Ethics for the Fall 2015 semester and preparing to teach the course in Fall 2016.

Mr. Straite has co-authored *Google and the Digital Privacy Perfect Storm* in E-Commerce Law Reports (UK) (2013), authored *Netherlands: Amsterdam Court of Appeal Approves Groundbreaking Global Settlements Under the Dutch Act on the Collective Settlement of Mass Claims*, in The International Lawyer’s annual “International Legal Developments in Review” (2009), and was a contributing author for Maher M. Dabbah & K.P.E. Lasok, QC, *Merger Control Worldwide* (2005).

Mr. Straite’s recent litigation includes co-leading a class of investors in *In re: CSO Hedge Fund Litigation* New York federal court (settlement approved January 2016); pursuing digital privacy claims as co-class counsel in *In re: Facebook Internet Tracking Litigation* and *In re Yahoo Mail Litigation* in California and *In re: Google Inc. Cookie Placement Consumer Privacy Litigation* in Delaware; pursuing corporate governance claims in Delaware Chancery Court in a number of matters; and helping to develop the first multi-claimant test of the UK’s new prospectus liability statute in a case against the Royal Bank of Scotland in the English courts.

Education:

B.A., Tulane University, Murphy Institute of Political Economy (1993)
J.D., *magna cum laude*, Villanova University School of Law (1996), Managing Editor, Law Review and Order of the Coif

Bar affiliations and court admissions:

Bar of the State of New York (2000)
Bar of the State of Delaware (2009)
Bar of the State of Pennsylvania (1996)
Bar of the State of New Jersey (1996)
Bar of the District of Columbia (2008)
U.S. District Courts for the Southern and Eastern Districts of New York; Eastern District of Pennsylvania; and the District of Delaware
U.S. Court of Appeals for the Third Circuit

Professional affiliations:

American Bar Association

- Section of Litigation (Privacy and Data Security Committee)
- Section of Business Law

Delaware Bar Association

New York American Inn of Court (Master of the Bench)

Internet Society

*This website contains attorney advertising. Prior results do not guarantee a similar outcome.

- [Privacy Policies and Disclaimers](#)
- [Site Map](#)
- [Contact Us](#)

©2015 Kaplan Fox & Kilsheimer LLP

Richard M. Zuckerman



Richard M. Zuckerman

Partner

- [About](#)
- [Experience](#)
- [Recognition](#)
- [Insights](#)
- [Activities and Affiliations](#)

Richard M. Zuckerman is an experienced appellate lawyer, who also maintains an active trial and arbitration practice.

Having handled unclaimed property litigations for more than 15 years, Richard also counsels major financial institutions, insurance companies and other businesses on unclaimed property laws, including issues of applicability, compliance and structuring business models that take these laws into account.

His litigation practice includes a broad range of commercial and civil rights cases. He regularly briefs and argues appeals in both federal and state appellate courts, having appeared in most of the US courts of appeals, the highest courts of several states (including New York and Delaware) and, as counsel for the American Bar Association and other amici curiae, in the US Supreme Court. His cases include securitizations, financial fraud, unclaimed property, bankruptcy, insurance coverage and First Amendment litigation.

Richard has served as an arbitrator in the US District Court for the Eastern District of New York, a mediator in the New York State Supreme Court, Commercial Division.

Experience

- *In re WestPoint Stevens, Inc.*, 600 F.3d 231 (2d Cir. 2010) (scope of appellate review of bankruptcy court's sale order)
- *New York Charter School Ass'n v. Smith*, 15 N.Y.3d 403, 914 N.Y.S.2d 696 (2010) (whether charter schools are subject to prevailing wage laws)
- *Powell's Books, Inc. v. Kroger*, 622 F.3d 1202 (9th Cir. 2010); *American Booksellers Foundation for Free Expression v. Cordray*, 124 Ohio St.3d 329, 922 N.E.2d 192 (Supreme Court of Ohio 2010); *American Booksellers Foundation for Free Expression v. Coakley*, 2010 WL 4273802 (D.Mass., Oct. 26, 2010) (constitutionality of state statutes relating to electronic communications)
- *American Express Travel Related Services Co., Inc. v. Sidamon-Eristoff*, 755 F.Supp.2d 556 (D.N.J. 2010), *aff'd*, 669 F.3d 359 (3d Cir. 2012); *New Jersey Retail Merchants Ass'n v. Sidamon-Eristoff*, 755 F.Supp.2d 556 (D.N.J. 2010), *aff'd*, 669 F.3d 374 (3d Cir. 2012) (constitutionality of amendments to New Jersey's unclaimed property law, as applied to travelers cheques and stored value cards)
- *In re Commercial Money Center, Inc., Equipment Lease Litigation, Inc.*, 2010 WL 2232799 (N.D. Ohio, May 28, 2010) (defense to claims on surety bonds, based on fraud in the inducement)

Richard represented the Foundation for a Greater Opportunity, a foundation that supports charter schools, and several charter schools in a successful challenge to a decision by the New York State Department of Labor that sought to extend the state's "prevailing wage laws" to charter schools. The decision of the New York Court of Appeal will enable charter schools to devote their resources to their educational mission, including teacher salaries and educational expenses, and avoid the diversion of tens of millions of dollars to increased construction, maintenance, repair and administrative costs. *New York Charter School Ass'n v. Smith*, 15 N.Y.3d 403, 914 N.Y.S.2d 696 (2010).

Amicus Briefs in US Supreme Court

- *Fitzgerald v. Barnstable School Committee*, 555 US 246, 129 S.Ct. 788 (2009) (whether gender discrimination claims under 42 USC § 1983 are preempted by Title IX of the Education Amendment Acts of 1972), counsel for American Bar Association, as amicus curiae.
- *Horne v. Flores*, 557 US ---, 129 S.Ct. 2579 (2009) (equal access to education for students for whom English is a second language), counsel for Asian American Justice Center and other civil rights organizations, as amici curiae.
- *Al-Marri v. Spagone*, 555 US 1220 (2009) (criminal due process rights during times of threat to national security), counsel for American Bar Association, as amicus curiae.
- *Samantar v. Yousuf*, --- US ---, 130 S.Ct. 2278 (2010) (whether foreign sovereign immunity may be asserted as a defense to civil rights claims under 42 USC § 1983), counsel for professors of international litigation and foreign relations law, as amici curiae.
- *Brown v. Entertainment Merchants Association*, 564 US ---, 131 S.Ct. 2729 (2011) (constitutionality of California law restricting video games), counsel for American

Booksellers Foundation for Free Expression, Association of American Publishers, Freedom to Read Foundation, National Association of Recording Merchandisers, Recording Industry Association of America, Amusement & Music Operators Association, Association of National Advertisers, PEN Center USA and The Recording Academy, as amici curiae.

- *United States v. Alvarez*, --- US ---, 132 S.Ct. 2537 (2012) (constitutionality of federal law that made it a crime to lie about having received military medals), counsel for American Federation of Television and Radio Artists, Association of American Publishers, Inc., Comic Book Legal Defense Fund, Entertainment Merchants Association, Freedom to Read Foundation, PEN American Center, Village Voice Media Holdings, LLC and Writers Guild of America, West, Inc., as amici curiae.

Recognition

Honors and Awards

Richard is listed in *Legal 500: United States* (directory of leading law firms and lawyers).

Richard received SNR Denton's Rothschild Award for his pro bono work, including his representation of Human Rights Watch, one of the world's leading human rights organizations, and the Center for Architecture Foundation.

Insights

- Author, "Brown v. EMA: What Did Justice Scalia Think About Mortal Kombat? Did He Enjoy It?," *ACSBlog*, American Constitution Society for Law and Policy, June 28, 2011
- Co-author, "Arbitration of Disputes in Business Transactions," New York County Lawyers Association
- Co-author, *Appeals to the Second Circuit*, 7th Edition, Association of the Bar of the City of New York
- Author, "Litigation Under Title III of the Americans with Disabilities Act: Access to Public Accommodations and Services Operated by Private Entities," *Emerging Issues for the New Millennium: Litigation Under Employment and Related Statutes*, Florida Bar Continuing Legal Education
- Author of Note, "Implementation of a Judicial Decree Ordering Institutional Change," *Yale Law Journal*, 1975

Activities and Affiliations

Memberships

- Member, Association of the Bar of the City of New York
 - Former vice chair, Judiciary Committee
 - Member, Committee to Encourage Judicial Service
 - Member, In-House/Outside Litigation Counsel Group

- Former member, Council on Judicial Administration
- Former member, Federal Courts Committee
- Former member, Civil Rights Committee
- Member, Executive Committee, Yale Law School Association of New York City
- Former member, Executive Committee, Yale Law School Association
- Member, American Bar Association
- Member, New York State Bar Association
- Member, Federal Bar Council
- Master, New York American Inns of Court
- Member, Dartmouth Lawyers Association
- Member, Audit Committee, Board of Directors, Human Rights Watch

Contact information

[New York](#) Local time 2:45 PM
D+1 212 398 5213

[Email Me](#)

[Download vCard](#)

Areas of focus

- [Appellate Advocacy](#)
- [Arbitration](#)
- [Commercial Litigation](#)
- [Financial Institutions](#)
- [Insurance Litigation and Arbitration](#)
- [Litigation and Dispute Resolution](#)
- [Media, Entertainment and Sports](#)
- [Subnational Taxation](#)
- [Tax Litigation and Dispute Resolution](#)

Education

Yale Law School, 1975, JD, editor, *Yale Law Journal*; Harlan Fiske Stone Prize

Dartmouth College, 1972, AB, *summa cum laude*

Admissions and qualifications

New York

US District Court for the District of Connecticut

US District Court for the Eastern District of New York

US District Court for the Southern District of New York

US Court of Appeals for the Second Circuit

US Court of Appeals for the Third Circuit

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Sixth Circuit

US Court of Appeals for the Ninth Circuit

US Court of Appeals for the Tenth Circuit

US Court of Appeals for the District of Columbia Circuit

US Court of Appeals for the Federal Circuit

US Supreme Court

US Tax Court

- [Legal notices](#)
- [Accessibility](#)
- [Use of cookies](#)
- [Privacy policy](#)
- [Recruitment fraud notice](#)
- [Terms of use](#)
- [Site map](#)

© 2016 Dentons. All rights reserved. Attorney Advertising.

FOLLOW US: ○○○

[CONTACT US](#) [ABOUT US](#) [FIRM NEWS](#) [BLOG](#) [EN FRANÇAIS](#) [EN ESPAÑOL](#)



LIVE CHAT

(844) 289-0985

[PRACTICE AREAS](#)

[PAST RESULTS](#)

[CLIENT](#)

[ATTORNEY](#)

[FAQS](#)

[TESTIMONIALS](#)

[PROFILES](#)

[Home](#) / James Bilsborrow

James Bilsborrow, Associate Attorney, Environmental Pollution, Consumer Protection



Phone: (212) 558-5800

Fax: (212) 344-5461

Address: 700 Broadway
New York, NY 10003

Personal Quote

One of the most satisfying experiences I've had at Weitz & Luxenberg involved helping create a medical class-action settlement for victims of the BP oil spill cleanup. Their plight was deeply troubling to me because, without our involvement on their behalf,

FREE CASE EVALUATION

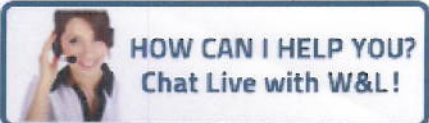
Speak with an experienced attorney that can get you the compensation you deserve.

Name

Email Address

Phone Number

Additional Info



they stood to receive nothing in the way of compensation for chemical-based exposure injuries they had suffered. They likely would have been simply forgotten and neglected. Instead, they will now be entitled to receive preventive care and mental health treatment, in accordance with a protocol we secured for them. It's a victory they and, really, all of the Gulf Coast deserved. What it shows when you get right down to it is that dedicated advocates like those you find here at Weitz & Luxenberg can make a difference on behalf of their clients.

We would feel privileged to assist you. For a free consultation and more information about your legal options, please contact us today. (844) 289-0985

Summary

It takes a uniquely compassionate and caring attorney to understand and be able to properly act upon the needs of victims of environmental disasters, toxic torts and consumer-targeted wrongdoing. James Bilborrow is just such a lawyer.

RECENT VERDICTS

\$1 Billion - W&L's Ellen Relkin, as lead counsel in the NJ Rejuvenate and ABG II hip stem litigation, played a key role in negotiating the more than \$1 billion settlement. Most qualifying plaintiffs will receive \$300,000 or more.

W&L FACTS

We got \$518 million from the chemical industry.



He has been an associate attorney in our Environmental, Toxic Tort & Consumer Protection group since joining the firm in 2011.

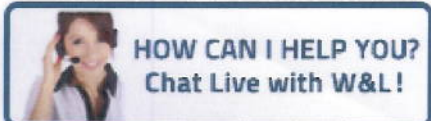
Among his more prominent cases, Mr. Bilsborrow participated extensively in the multidistrict litigation brought by us and other firms against BP, the United Kingdom-based petroleum giant responsible for the devastating 2010 Gulf of Mexico oil spill. In that action, Mr. Bilsborrow served as the second-chair attorney to our Robin Greenwald, who was a member of the Plaintiffs' Steering Committee. Mr. Bilsborrow worked closely with the Phase One trial team which ultimately secured a judicial finding that BP acted with gross negligence in causing the oil spill. Mr. Bilsborrow also served on the Medical Benefits Settlement team which negotiated a commitment on the part of BP to provide compensation and preventive treatments to Gulf Coast shoreline residents and to workers involved in the spill cleanup. Additionally, Mr. Bilsborrow was a member of the appeals team that successfully defended the economic portion of the BP settlement all the way to the U.S. Supreme Court.

In another prominent multidistrict litigation, this time against General Motors Corp. and arising from the car maker's use of a dangerously defective ignition-switch system in millions of vehicles, Mr.

CLIENT TESTIMONIALS

“You helped more than I ever expected. The checks have been coming in over a period of 5 years now, and the amounts are significant.”

Lois N. - Sarasota, FL



Bilborrow represents dozens of individuals injured while operating defective GM vehicles; he also represents class members seeking damages for economic losses as a result of GM's concealment of the defect. Throughout the GM litigation, Mr. Bilborrow has served as the second-chair attorney to Ms. Greenwald, the plaintiffs' liaison counsel.

Mr. Bilborrow — a New York metro area "Super Lawyers Rising Star" — is also active in the firm's data breach litigation initiatives. He is at the forefront of actions against major healthcare organizations Excellus, Anthem and Premera Blue Cross after hackers broke into those corporations' computer systems and stole customers' sensitive personal and financial records in furtherance of identity theft and other financial fraud crimes. For the Excellus litigation, Mr. Bilborrow serves as second chair to co-lead interim class counsel Robin Greenwald.

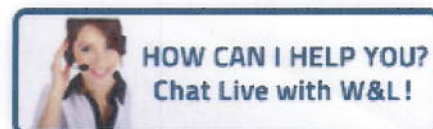
Prior to joining Weitz & Luxenberg, Mr. Bilborrow worked as a law clerk for Hon. D. Brooks Smith of the U.S. Third Circuit Court of Appeals. Before that, he held clerked for Hon. Christopher C. Conner of the U.S. District Court, Middle District of Pennsylvania.



Mr. Bilborrow is admitted to practice law in the State of New York, a privilege he attained in 2009. He is also admitted to practice in the Southern and Eastern Districts of New York and in the U.S. Court of Appeals' Third and Fifth circuits.

In 2008, Mr. Bilborrow completed the juris doctor program offered by William & Mary School of Law. He distinguished himself there by graduating second in his class and by securing a place in the school's Order of the Coif, which recognizes the academic achievements of the top 10 percent of students. Additionally, the school conferred upon him in the 2007-08 academic year its Best Student Note award for his authorship of "Sentencing Acquitted Conduct to the Post-Booker Dustbin," a work published in the William and Mary Law Review. These honors represent an extension of those he earned while a political science and philosophy major at the University of Chicago (he was on the Dean's List every year between 1999 and 2003).

Mr. Bilborrow at present belongs to several professional organizations, including the American Association for Justice (AAJ) in which he serves as a member of the Legal Affairs Committee, which prepares and reviews the organization's positions on relevant policies. He also is on the Rule 23 Subcommittee of the Class Action Litigation Group,



tasked with critiquing and commenting upon proposed changes to Rule 23 of the Federal Rules of Civil Procedure. In 2015, the AAJ selected Mr. Bilborrow as one of only 12 attorneys from around the country to attend the organization's Leadership Academy — a program designed to equip promising young attorneys to become the next generation of top-tier trial lawyers. Mr. Bilborrow is also active with the Brooklyn Volunteer Lawyers Program as an attorney providing pro bono legal services to low-income residents of Brooklyn.

Publications

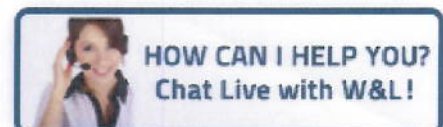
- "Sentencing Acquitted Conduct to the Post-Booker Dustbin," 49 Wm. & Mary L. Rev. 289 (2007)

Education

- J.D., William & Mary School of Law, 2008
- B.A., University of Chicago, 2003

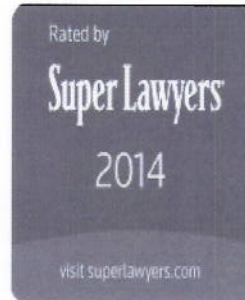
Associations and Licenses

- American Bar Assn.
- New York Bar Assn.
- New York City Bar Assn.
- Brooklyn Bar Assn.
- American Association for Justice (New Lawyers Division)
- American Constitution Society



Bar Admissions

- New York
- U.S. District Court (Eastern and Southern districts, New York)
- U.S. Court of Appeals (Third and Fifth circuits)



[Practice Areas](#)

[Past Results](#)

[Client Testimonials](#)

[Attorney Profiles](#)



[FAQs](#)

[Referring Attorneys](#)

[Careers](#)

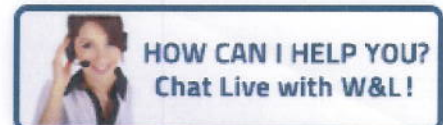
[Privacy Policy](#)

[Sitemap](#)

info@weitzlux.com

ATTORNEY ADVERTISING. Prior results do not guarantee a similar outcome. © 2016 Weitz & Luxenberg P.C. |

Last Modified December 11, 2015





GABRIEL K. GILLETT

Associate Attorney

CONTACT INFO

ggillett@gibsondunn.com

T: +1 212.351.2656

F: +1 212.716.0858

New York Office
200 Park Avenue
New York, NY 10166-0193, USA

PRACTICE

- [Appellate and Constitutional Law](#)
- [Litigation](#)
- [Media, Entertainment and Technology](#)
- [Securities Litigation](#)

EDUCATION

Fordham University
2011 - Juris Doctor

The George Washington
University
2005 - Bachelor of Arts

ADMISSIONS

New York Bar

BIOGRAPHY

Gabriel K. Gillett is an associate in the New York office of Gibson, Dunn & Crutcher. He is a member of Gibson Dunn's Appellate and Constitutional Law; Securities Litigation; and Media, Entertainment and Technology Practice Groups.

Mr. Gillett's practice focuses on representing clients in appeals in federal and state courts. He also advises clients on case strategy and drafts critical submissions to trial courts and administrative bodies. He has worked on a variety of matters, in a variety of postures, involving constitutional law, securities law, administrative law, civil procedure, bankruptcy, technology, voting rights, land use, and immigration.

Mr. Gillett received his Juris Doctor, *magna cum laude*, from the Fordham University School of Law, where he was elected to the Order of the Coif, served as an Associate & Notes Editor on the *Fordham Law Review*, and served as the editor of the Kaufman Securities Law Competition for the Fordham Moot Court Board. Mr. Gillett received his Bachelor of Arts in International Affairs from the George Washington University.

Mr. Gillett is admitted to practice law in the State of New York. He is also admitted in the U.S. Court of Appeals for the Second, Third, and Ninth Circuits, and in the U.S. District Court for the Southern and Northern Districts of New York.

Publications

- Co-author, "The Rise and Permanence of Quasi-Legislative Independent Commissions," *27 Journal of Law & Politics* 415 (2012).
- Author, "A World Without Internet: A New Framework for Analyzing a Supervised Release Condition That Restricts Computer and Internet Access," *79 Fordham Law Review* 217 (2010).

FENSTERSTOCK & PARTNERS LLP

Complex Commercial Litigation Boutique

- [Home](#)
- [About Our Firm](#)
- [Practice Areas](#)
- [Our Lawyers](#)
- [News](#)
- [Pricing](#)
- [Contact](#)



Glen A. Kendall

Phone: 212.785.4100

Fax: 212.785.4040

gkendall@fensterstock.com

[vcard](#)

- [Biography »](#)
- [Education »](#)
- [Representative Matters »](#)
- [Admissions »](#)

Full Biography

Glen's practice focuses on complex commercial litigation, employment litigation, and white collar criminal defense. Glen has represented a number of businesses in commercial cases in both Federal and state courts focusing on breach of contract, business torts, shareholder and partnership disputes, unfair competition, and business fraud claims. With respect to employment cases, Glen has represented both plaintiffs and defendants in actions involving breach of employment contracts, restrictive covenants, non-competition and unfair competition matters, trade secret and breach of duty of loyalty claims, Title VII discrimination claims, sexual harassment claims, retaliation, and whistleblower claims.

Prior to joining Fensterstock & Partners LLP, Glen was an associate with the Davidoff Law Firm where he was involved in a number of white collar criminal cases and civil cases with significant criminal implications.

- [Legal Notices](#)

Fensterstock & Partners LLP

100 Broadway 8th Floor, New York, NY 10005
212-785-4100 Fax: 212-785-4040