

HOLWELL SHUSTER & GOLDBERG LLP



BRENDON DEMAY PARTNER

646.837.5167 | bdemay@hsgllp.com

Brendon DeMay is a first-chair trial and appellate lawyer for finance, technology, retail, and media clients in contractual, securities, and antitrust matters in federal and state court litigation and arbitrations.

Brendon recently first-chaired a federal jury trial against Walmart and won a jury verdict of \$101 million in a breach-of-contract case relating to PPE during the COVID-19 pandemic. For this victory, Brendon and his partner Priyanka Timblo were named the American Lawyer's Litigators of the Week. The National Law Journal also named Brendon and Priyanka as finalists for the National Winning Litigators Award.

Brendon also currently represents investors and bank trustees in RMBS repurchase litigations and served as plaintiffs' liaison counsel in dozens of coordinated actions. Brendon recently briefed, argued, and won an appeal in two RMBS matters, obtaining a reversal of the trial court's dismissal and reviving claims worth hundreds of millions of dollars. As a member of the trial team in the Lehman Brothers RMBS bankruptcy dispute, he helped obtain a \$2.4 billion verdict for investors.

In other commercial matters, Brendon has represented PetSmart in a covenants dispute with lenders regarding \$8 billion in debt obligations. He also has significant experience in private litigation and government investigations into insider trading and securities fraud. He has litigated numerous securities fraud cases, including the Luckin Coffee scandal. He has also litigated cross-border disputes, including the application of Section 1782 in a dispute regarding the breach of an agreement to purchase copper and nickel mines in Brazil.

In his past *pro bono* work, he has represented indigent parties in appellate, housing, and family law matters. He was recognized as a top litigator under 40 by *Benchmark Litigation* for six straight years.

NOTABLE CASES

- London Luxury, winning a \$101 million verdict against Walmart after a 10-day jury trial in the Western District of Arkansas, Fayetteville.
- IBM in federal antitrust investigation, M&A litigation, and multi-billion-dollar arbitration.
- Investors and bank trustees in residential mortgage-backed securities (RMBS) repurchase litigations.
- PetSmart in a covenants dispute with lenders regarding \$8 billion in debt obligations.
- Visa Inc. in indemnification dispute in connection with antitrust investigations and related litigation in Europe.
- Global banks in RMBS fraud litigation and CDO bankruptcy proceedings.

- National retailer in private lawsuits and criminal and civil investigations by the United States Attorney, SEC, and NYSE related to insider trading and securities fraud.
- Major bookseller in antitrust investigations by the Department of Justice and state attorneys general relating to e-books, as well as antitrust and patent litigation over e-reader technology.
- Bristol Myers Squibb in litigations alleging violations of Section 1 of the Sherman Act.
- Qualcomm in patent litigation against Broadcom.
- Large health care companies in defeating various M&A shareholder litigations.

CLERKSHIPS

- Hon. Vaughn R. Walker, U.S. District Court for the Northern District of California, 2007 – 2008

EDUCATION

- Georgetown University Law Center (J.D., *magna cum laude*, 2007; Managing Editor, *The Georgetown Law Journal*)
- Harvard University (A.B., *magna cum laude*, 2003)

BAR AND COURT ADMISSIONS

- New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York