



CHARLOTTE BAIGENT ASSOCIATE

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Charlotte Baigent maintains a wide-ranging litigation practice at Holwell Shuster & Goldberg, representing plaintiffs and defendants in high-stakes commercial litigation, appeals, and arbitrations.

Charlotte has litigated cases in federal and state courts at all levels across the country. She has experience on leanly staffed trial teams, including prosecuting a trade secret case against The Boeing Company in the Western District of Washington and co-defending an insurance case arising from the Jay Peak Ponzi scheme in the Southern District of Florida. Charlotte has co-authored and filed briefs in the U.S. Supreme Court, including on behalf of a petitioner seeking certiorari and amicus curiae at the merits stage. Drawing on her experience in the U.S. and Canada, Charlotte advises clients on complex cross-border disputes and has taken or defended over a dozen depositions as first or second chair across North America. She also advises international clients on treaties, arbitral rules, and the recognition and enforcement of foreign awards. Her successes have been recognized in *Law360*'s Legal Lions column and in *The American Lawyer*'s Litigator of the Week column.

In her *pro bono* practice, Charlotte is currently representing a criminal defendant on appeal in New York state court, as well as amicus curiae in litigation concerning access to abortion care across the country, including in the U.S. Supreme Court, the Fifth Circuit, and the Iowa Supreme Court. She also played a significant role on the HSG teams that prosecuted two groundbreaking civil rights cases in partnership with the ACLU leading to successful settlements, including a challenge to Frontier Airlines' policies toward pregnant and breastfeeding pilots under the Civil Rights Act in the District of Colorado, and a § 1983 claim against police for excessive force in arresting a black man with a preexisting condition in the Eastern District of Louisiana.

Outside of her law practice, Charlotte publishes on diverse topics in law journals—her publications include articles in the *Canadian Journal of Women & The Law* and the *Canadian Journal of Administrative Law & Practice*, which have been well-cited by legal scholars and by the Provincial Court of Alberta.

Charlotte served as a law clerk to Justice Abella of the Supreme Court of Canada, and to Justices Abrioux and Tysoe of the Court of Appeals for British Columbia. Before joining HSG, she first gained courtroom experience at McCarthy Tétrault LLP and received her law degree from the University of British Columbia, where she was designated a Wesbrook Scholar (UBC's top prize), co-chaired Pro Bono Students Canada, and received a top oralist prize at a national moot court competition.

Charlotte is admitted to practice in New York and Ontario, Canada.

NOTABLE CASES

- Aerospace start-up Zunum Aero, winning a \$80M+ jury verdict finding Boeing liable for willful and malicious theft of trade secrets, tortious interference with contract, and breach of NDAs related to the development of electric and hybrid-electric aircrafts. On appeal, the Ninth Circuit reinstated the jury verdict in full. Took and defended multiple fact and expert depositions, including of senior level managers in the aviation industry. Examined multiple witnesses at the jury trial, including technical experts.

- Federal in a fidelity insurance action related to the Jay Peak Ponzi scheme in the Southern District of Florida.
- Molecular Dynamics in proceedings seeking to vacate an international arbitration award rendered in Switzerland in the Southern District of New York, including arguing a precedent-setting legal issue on appeal in the Second Circuit.
- Editis, Interforum and their parent company, Vivendi, in complex cross-border contract litigation in the New York Commercial Division and on appeal to the New York Appellate Division, First Department.
- Various affiliates of Chubb in nationwide litigation over insurance coverage for over 3,000 lawsuits brought by governmental entities across the country related to opioid production and distribution.
- Air India in proceedings seeking a declaration that the airline is the alter ego of the Republic of India, and therefore jointly and severally liable for the amount of BIT arbitration awards rendered against the foreign state, in the Southern District of New York.
- Visa Inc. and its subsidiaries in various matters, including their defense against class and individual antitrust actions brought by virtually every merchant in the United States, alleging hundreds of billions in damages.
- Online media company in putative class action alleging violation of the Video Privacy Protection Act (VPPA).
- In partnership with the American Civil Liberties Union of Louisiana, a black individual in a civil rights action against police alleging excessive use of force during his arrest.
- In partnership with the American Civil Liberties Union of Colorado, a workplace discrimination case on behalf of pregnant and breastfeeding pilots against Frontier Airlines, alleging violations of the Civil Rights Act.
- In partnership with the Office of the Appellate Defender, a criminal defendant on appeal from convictions and indeterminate, consecutive sentences before the New York Appellate Division, First Department.

WRITINGS

- “Why *Gladue* Needs an Intersectional Lens: The Silencing of Sex in Indigenous Women’s Sentencing Decisions,” *Canadian Journal of Women and the Law* (2020)
- “Undoing *Doré*: Judicial Resistance in Canadian Appellate Courts,” *Canadian Journal of Administrative Law & Practice* 63 (2020)
- “Bid At Your Own Risk,” *Canadian Appeals Monitor* (2018)

CLERKSHIPS

- Hon. Rosalie Abella, Supreme Court of Canada, 2020 – 2021
- Hon. Patrice Abrioux and Hon. David F. Tysse, British Columbia Court of Appeal, 2019 –2020

EDUCATION

- Peter A. Allard School of Law, University of British Columbia (J.D., 2019; Wesbrook Scholar; Gudmundseth Mickelson LLP Litigation Award; Awards in Administrative Law, Appellate Advocacy, Constitutional Law)
- Concordia University (B.A. Hons., 2015; Varsity Alpine Skier; Awards in Political Science, Social Science Research)

BAR AND COURT ADMISSIONS

- Ontario, Canada
- New York