

HOLWELL SHUSTER & GOLDBERG LLP



SCOTT DANNER PARTNER

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Scott Danner's practice focuses on complex commercial litigation in federal and state courts, including disputes involving trade secrets, private equity transactions, secured debt, and antitrust claims. Since becoming a partner in 2020, Scott has first-chaired trials in federal and state court and secured multiple eight-figure verdicts for his clients. Scott has been recognized as a Litigation Trailblazer by *The National Law Journal* and a leading lawyer by *Benchmark Litigation* and *York Metro Super Lawyers*. He was also recommended in Legal 500's 2021 guide for his litigation work, and recognized by *The American Lawyer* and *Law360* for his recent trial wins.

Scott's previous engagements include securities-related matters, fiduciary duty claims, bankruptcy and distressed debt litigation, reinsurance disputes, cross-border matters, and white collar defense. He also has extensive experience representing clients in New York appellate courts, including successful appeals to the New York Court of Appeals and the Appellate Division, First Department. Scott is actively involved in HSG's *pro bono* practice, and regularly represents indigent criminal defendants on appeal. He has also served as the co-chair of the Appellate Courts Committee of the New York County Lawyers Association.

Prior to joining Holwell Shuster & Goldberg, Scott was a litigation associate with Wachtell, Lipton, Rosen & Katz. Scott graduated *summa cum laude* from the Benjamin N. Cardozo School of Law, where he was awarded the Felix Frankfurter Prize, the school's highest discretionary academic honor. Following law school, he served as a law clerk to the Honorable Colleen McMahon of the Southern District of New York and the Honorable Robert S. Smith of the New York Court of Appeals, New York's highest court.

NOTABLE CASES

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Lead trial counsel for aerospace start-up Zunum Aero Inc., winning a jury verdict finding Boeing liable for \$81.3 million for misappropriating substantial trade secrets related to the development of electric and hybrid-electric aircrafts. Post-verdict proceedings are ongoing. The initial verdict was reported upon in *Forbes*, *Reuters*, *MSN*, the *Seattle Times*, and various legal publications.

- Lead trial counsel for Melody Business Finance, a hedge fund, in litigation against former hedge fund billionaire Philip Falcone, securing an award of \$69.8 million—approximately 99% of the amount sought following a trial on damages.
- H.I.G. Capital LLC, a private equity firm, in Delaware state court litigation asserting claims against the Audax Group, another private equity firm, for fraud in connection with the \$900 million+ sale of a portfolio company in 2022.
- Valassis Communications, Inc., a MacAndrews & Forbes company, as plaintiff in litigation against News Corp. and its subsidiaries alleging federal and state antitrust violations, unfair competitions, and tortious interference seeking more than \$600 million in damages. Valassis defeated summary judgment and then reached a confidential settlement during jury deliberations following a nearly three-week trial in the Southern District of New York.

- The Bank of New York Mellon in an RMBS putback dispute involving hundreds of millions of dollars, including a successful opposition to an RMBS sponsor's appeal in the New York Court of Appeals.
- Melody Capital Partners, an investment fund, as plaintiff in various litigations and out-of-court foreclosures under the Uniform Commercial Code resulting from defaults under loan agreements secured by equity interests, real estate, and fine art, among other collateral.
- IAC/InterActiveCorp and Match Group, Inc. in litigation brought by the founders of Tinder seeking several billion in damages over the corporate consolidation of Tinder and Match.
- Alstom, N.A., a French industrial conglomerate, in a purchase-price adjustment dispute with General Electric, arising from Alston's purchase of a rail-signaling business from GE for nearly \$1 billion.
- Several non-U.S. companies in proceedings under 28 U.S.C. § 1782 seeking discovery in the United States for use in litigations or arbitrations pending abroad, including defeating motions to quash and winning motions to compel before District Courts in New York and Connecticut, and prevailing in a precedent-setting appeal before the U.S. Court of Appeals for the Second Circuit.
- A global private equity firm in Bankruptcy Court proceedings initiated by creditors of an insolvent portfolio company.
- A reinsurer in a long-running dispute over a \$200 million reinsurance cession, resulting in a landmark reinsurance decision from the New York Court of Appeals.
- Directors in a major automotive company in connection with securities law and fiduciary duty claims, and civil and criminal investigations, arising from a product defect.
- A major financial institution in federal and state court litigation arising from the collapse of the Madoff Ponzi scheme; successfully defended separate putative class and mass actions alleging federal securities and state law claims.
- Several public companies and their directors in multi-jurisdictional shareholder litigation related to M&A transactions, including NYSE Euronext and Astoria Financial Corp.
- Several indigent criminal defendants in appeals to the Appellate Division, First Department and New York Court of Appeals, including obtaining leave and prevailing on an appeal setting important limits on New York's "mini-RICO" statute, resulting in the unanimous reversal of his client's conviction and dismissal of the indictment.

CLERKSHIPS

- Hon. Colleen McMahon, U.S. District Court for the Southern District of New York, 2011 – 2012
- Hon. Robert S. Smith, New York State Court of Appeals, 2009 – 2011

EDUCATION

- Benjamin N. Cardozo School of Law (J.D., *summa cum laude*, 2009; Felix Frankfurter Prize; *Cardozo Law Review*)
- Cornell University (B.A., 2005; Phi Beta Kappa)

BAR AND COURT ADMISSIONS

- New York
- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of Michigan