



## HOLWELL SHUSTER & GOLDBERG SECURES \$70 MILLION WIN IN FINANCIAL DISPUTE AGAINST FALLEN HEDGE FUND STAR PHILIP FALCONE

03.27.2023

**N**ew York—Holwell Shuster & Goldberg LLP has secured a \$70 million win on behalf of investment fund client Melody Business Finance involving loans defaulted on by former hedge fund billionaire Philip Falcone and several entities owned or controlled by him.

In the high-profile case, filed shortly before the Covid-19 pandemic hit, HSG represents Melody as plaintiff in various litigations and out-of-court foreclosures resulting from defaults under several loan agreements secured by collateral including multimillion-dollar luxury mansions, a collection of fine art—including paintings by Warhol and Degas—and jewelry.

After winning summary judgment on liability in August 2021, a damages inquest was held last September, during which the HSG team—led by partners Priyanka Timblo and Scott Danner—gave opening and closing arguments, examined witnesses, and introduced hundreds of exhibits, many over vigorous objection. On March 24, 2023, Justice Melissa Crane of the New York Supreme Court, Commercial Division, entered a decision awarding Melody a judgment of \$69.8 million, approximately 99% of the maximum amount Melody sought in its complaint, including attorney’s fees.

“This was a hard-fought battle that required creativity and persistence through every twist and turn,” said Danner. “We are pleased with the court’s decision, which honors the agreements signed with our client,” added Timblo.

The case is *Melody Business Finance, LLC v. Philip A. Falcone et al.* Additional members of the HSG team included, among others, Daniel Goldberg, Karen Sebaski, Zachary Kerner, and Amitpal Singh.

### ATTORNEYS

Scott Danner

Daniel P. Goldberg

Zachary A. Kerner

Karen A. Sebaski

Priyanka Timblo