

HOLWELL SHUSTER & GOLDBERG LLP



IN THE COURTS

Holwell Shuster & Goldberg’s intimate understanding of the way judges approach the issues before them gives our clients an invaluable advantage in court. Our attorneys have participated in legal disputes from every angle—as advocates, as mediators, and, critically, as judges and judicial clerks.

Before founding the firm, Judge Holwell served as a judge on the United States District Court for the Southern District of New York. Justice McGuire served as an associate justice in the First Judicial Department of the Appellate Division and, before that, as a justice in the 11th Judicial District for the Supreme Court of the State of New York.

HSG attorneys, including a vast majority of our associates, have served prestigious clerkships across the country and internationally. Four of our lawyers, Gregory Dubinsky, Vincent Levy, Daniel Sullivan, and Jack Millman, clerked for United States Supreme Court justices, and one of our attorneys clerked for the New York Court of Appeals, New York’s highest court. Beyond that, HSG attorneys have served clerkships on numerous federal courts of appeals and district courts throughout the United States.

That extensive experience informs the choices we make as advocates. We also bring to bear our experience as lead trial counsel for clients such as Visa and HSBC in a range of high-stakes commercial litigation, antitrust, intellectual property, international arbitration, and appellate matters. Recent HSG courtroom victories have included:

- A \$2.4 billion trial verdict against Lehman Brothers related to mortgage-backed securities;
- The approval of a historic \$6.26 billion settlement with one putative class of merchants—the largest known settlement of a private antitrust case in the 120-year history of the Sherman Act;
- A \$101 million jury verdict against Walmart, the world’s largest retailer, in a lawsuit alleging that Walmart wrongfully cancelled its contract to purchase more than \$500 million in personal protective equipment, or “PPE”;
- A significant jury verdict against Boeing, one of the world’s largest aerospace companies, in a lawsuit alleging the company stole substantial trade secrets from start-up Zunum Aero Inc. related to the development of electric and hybrid-electric aircrafts. The jury found Boeing liable for \$81.3 million for trade secret misappropriation;
- A successful \$286 million appeal in New York’s First Department in an insurance coverage dispute arising out of the SEC’s late-trading and market-timing investigation of Bear Stearns in the mid-2000s;
- A successful separation-of-powers challenge to the Commission on Ethics and Lobbying in Government on behalf of former New York Governor Andrew Cuomo at both the New York Supreme Court and the Appellate Division, Third Department related to the proceeds of a \$5 million book deal;

- A summary judgment victory for one of the world’s most preeminent law firms and two of its partners in their defense of high-profile malpractice claims and related litigation;
- A successful Second Circuit argument in a high-profile appeal brought by holdout bondholders to challenge the decision of the Southern District of New York lifting the *pari passu* injunction it had entered against the Republic of Argentina in the wake of its default; and
- A successful New York Court of Appeals decision unanimously reversing a conviction and dismissing an indictment for “enterprise corruption,” known as New York’s “mini-RICO” statute, in a closely watched case.