

New York Law Journal Announces Its 2021 Distinguished Leaders

Our Distinguished Leader awards recognize attorneys in leadership roles who achieved impressive results in the past year. Strong leaders are hard to come by, and we want to highlight lawyers who had great performances while demonstrating clear leadership skills leading to positive outcomes.

New York Law Journal Announces Its 2021 Litigation Departments of the Year

The honorees will be recognized in the New York Law Journal's upcoming Professional Excellence magazine and honored Oct. 13th at the New York Legal Awards at Marriott Marquis in New York City. The event will feature numerous other awards, including Distinguished Leaders, Lifetime Achievement, In-House Impact and the annual...

Ex-Tower Research Trader Ducks Jail Time In Spoofing Case

LA former Tower Research Capital commodities trader avoided prison time in Texas federal court Thursday after admitting to his role in a spoofing scheme that resulted in a \$67 million loss for the firm.

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Litigation Wrap

Third Quarter 2021

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One Battery Park Plaza • New York, New York 10004-1482 • +1 (212) 837-6000

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3Q2021 Developments

NYLJ's Professional Excellence Awards

The New York Law Journal selected HHR as one of two "General Litigation Finalists" for "Litigation Department of the Year." **Hagit Elul**, co-chair of the Arbitration practice, was named a "Distinguished Leader" and **Chris Gartman**, a partner in the Corporate Reorganization and Bankruptcy practice, was named a "Rising Star."

Lehman Team Triumphs in Appeal

In the final claims dispute in the liquidation of Lehman Brothers Inc., HHR secured an appellate victory on Sept. 10 when the Second Circuit affirmed two lower court rulings in favor of the trustee's treatment of more than \$300 million in deferred compensation claims. **Jim Fitzpatrick** argued on behalf of LBI trustee **Jim Giddens**. The team also included **Carl Mills, Chris Kiplok, Anson Frelinghuysen** and **Jeff Margolin**.

Rare Summary Arbitration Award

Jim Boykin, Kevin Abikoff and **Amina Hassan** scored a complete arbitration victory for FaZe Clan on Aug. 4 when

an ICDR arbitrator issued a partial final award dismissing all claims by two venture firms seeking compensation for introducing the esports company to an investment broker. The award marked a rare pre-hearing victory on a Rule 33 dispositive motion. Five days later, the claimants sought to vacate the decision, but the arbitrator rejected the application on procedural grounds.

Appellate Victory for Dutch Firm

Derek Adler secured an appellate victory for Dutch hedge fund Palladyne International Asset Management on May 7 when the Second Circuit affirmed the dismissal of a fraudulent inducement lawsuit brought by its former executive under the doctrine of forum non conveniens. A three-judge panel agreed that the Netherlands was an adequate alternative forum.

Lutron Defeats Injunction Bid

HHR successfully defended Lutron Electronics Co. Inc. against claims for alleged infringement of U.S. Patent No. 10,822,872. On Aug. 12, an SDNY judge

held that the asserted claims were likely invalid and thus did not support a preliminary injunction against continued sales of Lutron PALLADIOM® window shade products. **Jim Dabney** leads the team, which includes **Richard Koehl** and **Emma Baratta**.

Appellate Victory for CoorsTek

Stefan Naumann again won on the merits for CoorsTek Bioceramics when the Paris Court of Appeal confirmed a lower court decision that allows the medical device manufacturer to offer pink hip implants in Europe. On June 25, the appeals court upheld a ruling to cancel three EU trademarks covering the color pink and the shape of ceramic orthopedic implants.

Fine Touch for Phillips Auctioneers

In an important victory for longtime client Phillips Auctioneers, **Dan Weiner** and **Eric Blumenfeld** defeated a lawsuit brought by a China-based art collector five years

ago alleging that Phillips breached the parties' settlement agreement involving seminal works by Gerhard Richter and Francis Bacon. On July 12, the New York Supreme Court dismissed all claims with prejudice. The matter is now on appeal.

Non-Prison Sentence for Client

Marc Weinstein and **John McGoey** secured a non-custodial sentence for Krishna Mohan, an ex-commodities trader at Tower Research Capital who pleaded guilty in 2018 for participating in a commodities fraud and spoofing conspiracy. His team was responsible for market losses of over \$30 million. He faced a maximum sentence of five years. But a Texas federal judge on July 8 sentenced him to one year of probation, and declined to order any fines against him.