

## **SPEAKER BIOGRAPHIES**



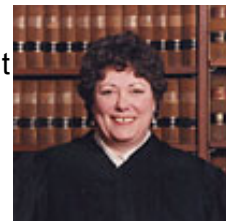
## Commercial Division - NY Supreme Court

### *New York County - Manhattan*

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#### **Biography of Justice Eileen Bransten**

JUSTICE EILEEN BRANSTEN was elected to the New York State Supreme Court in November 1999. In 2008, she was assigned to the Commercial Division after having spent seven years presiding over a Medical Malpractice Part. Before that, Justice Bransten was elected to the Civil Court in 1993 and was appointed an Acting Supreme Court Justice in 1996. As an Acting Justice, she presided over a General Trial and then a Matrimonial Part. During her tenure as a judge, hundreds of Justice Bransten's decisions have been published in the Miscellaneous Reports and the New York Law Journal. In addition, over the course of her judicial career, Justice Bransten has issued thousands of orders and judgments.



Throughout her legal career, Justice Bransten has been active in numerous bar associations and organizations. Justice Bransten was Co-President of Judges and Lawyers Breast Cancer Alert (JALBCA) from 2006 to 2008, and remains, to this day, on its Board of Directors. In 2013, Chief Judge Jonathan Lippman appointed her to serve on the permanent Commercial Division Advisory Council.

Justice Bransten served as the Presiding Member of the New York State Bar Association's Judicial Section in 2008. Justice Bransten is currently a member of the City Bar Association's Council on Judicial Administration. She also previously served on the City Bar Association's Committee on State Courts Of Superior Jurisdiction and on the City Bar Association's Medical Malpractice Committee. From 1993-1994, Justice Bransten participated on the New York City Civil Court's Anti-Gender Bias Committee. Justice Bransten has been a faculty member for continuing legal education programs conducted by the New York State Bar Association, the City Bar Association, the New York State Trial Lawyers Association, the New York County Lawyers Association and the Practising Law Institute and has lectured on varied topics including commercial division practice, state court practice, medical malpractice and ethics.

Justice Bransten served as the President of the Association of the Supreme Court Justices of the State of New York in 2012. She also served as an officer of the New York State Supreme Court Board of Justices and is currently a member of the Association of the Supreme Court Justices of the City of New York

Justice Bransten is a graduate of Hunter College (summa cum laude, 1975) and Fordham University School of Law (class of 1979). After law school, from 1979 to 1984, she served in the Queens County District Attorney's Office and then worked as a solo practitioner for seven years. In 1992, she became the Principal Court Attorney and Law Secretary to Supreme Court Justice Jacqueline W. Silbermann (now retired) who at that time was also Administrative Judge of the Civil Court of the City of New York.

In 2000, Justice Bransten was inducted into the Hunter College Alumni Hall of Fame and presently serves on the Board of Directors of Fordham University Law School. She has also volunteered as a judge for moot-court and mock-trial programs at Columbia Law School, Fordham University School of Law School, the City Bar Association and the Association of Trial Lawyers of America.

Affairs to Manhattan Borough President Scott Stringer--are long-time residents of Manhattan. They thoroughly enjoy traveling, reading books, going to the theater and spending time with their family: their two sons Richard and John, Richard's wife Sarah and their grandchildren Brendan and Erin. For over two decades, she and her husband have volunteered at the Blessed Sacrament Soup Kitchen.



Web page updated: February 21, 2014

# SCHLAM STONE & DOLAN LLP

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## Jeffrey M. Eilender

Jeffrey M. Eilender has been a commercial litigator for over twenty years. Although he has litigated virtually every kind of business conflict, his practice focuses on "business divorce" — intra-corporate disputes over intellectual property, real estate and other assets, trade secrets, and disputes relating to business separations involving, for example, operating, shareholder, non-compete and severance agreements. Mr. Eilender also litigates real estate, contract and employment cases, and all manner of business torts. In addition to representing large public companies, such as AXA, Verizon, AOL, XL, and Canon, private



### Jeffrey M. Eilender

companies, and high net worth individuals, he has represented such media personalities as Judith Regan, Perez Hilton, and a well-known television film critic whose identity was sealed by the court. Mr. Eilender has also represented clients in criminal and civil proceedings and investigations by government and regulatory agencies, including the Department of Justice, the Securities and Exchange Commission, FINRA, and the New York State Attorney General's Office. He has been lead counsel in successful trials and hearings in the Commercial Divisions of New York's state courts, a variety of arbitral forums, and in other federal and state courts around the country. He has been chosen as a speaker and panelist at the 2014 New York State Bar Association Commercial Litigation Academy.

His representations include:

### Commercial Litigation

- Currently representing global insurance giant AXA in a \$200 million lawsuit against ING in the Commercial Division of New York County Supreme Court arising out of AXA's purchase of a Mexican subsidiary of ING;
- Obtaining an over \$2 million verdict in the New Jersey Chancery Court on behalf of Hong Kong-based investors against two former officers and directors, for looting a U.S.-based subsidiary;
- Representing one of India's largest pharmaceutical companies in a \$90 million lawsuit in Vermont state court over trade secrets and a non-compete agreement concerning transdermal patches;
- Currently representing one of Mexico's largest sugar companies in an indemnification action in the Southern District of New York; and
- Winning a \$30 million arbitration award on behalf of a New York importer against its Chinese manufacturing partner for breach of contract.

### **Business Divorce Litigation**

- Obtaining over \$2 million at trial in the Commercial Division of New York County Supreme Court on behalf of a minority partner against the general partnership for misappropriating his ownership interests;
- Defeating a motion for preliminary injunction in the Commercial Division of New York County Supreme Court that would have prevented our client's removal of the movant as managing member of a Delaware LLC and our client's issuance of a rights offering to enable the client to obtain control of the LLC;
- Obtaining a \$2.5 million AAA arbitration award on behalf of a widow in her dispute with a surviving LLC owner;
- Winning over \$1.5 million and obtaining an asset freezing order in New York Supreme Court on behalf of a minority LLC member against the LLC in a trial to determine the value of his share in the LLC and the amount due him upon his withdrawal;
- Obtaining a \$7 million buyout for a minority LLC member in a dissolution proceeding in the Commercial Division of Nassau County Supreme Court;
- Currently representing a younger brother in a dissolution proceeding in the Commercial Division of Queens County Supreme Court, in a dispute with his older brother over allocation of ownership of real estate worth \$25 million; and
- Currently representing a minority member in disputes in the Commercial Division of New York County Supreme Court with majority members and family over management of a general partnership owning several apartment buildings in New York City.

## Entertainment, Copyright And Trademark Litigation

- While representing a television celebrity, obtained a rare order providing for an Anonymous v. Anonymous caption and complete sealing of court records to protect his identity, then won summary judgment and an injunction enforcing a confidentiality agreement, preventing a former employee from publishing a "tell-all" memoir about the client;
- Obtaining dismissal of several copyright and trademark infringement lawsuits brought in the Southern District of New York against Internet personality Perez Hilton;
- Obtaining summary judgment for breach of a licensing agreement against a cable network on behalf of the copyright holder for the *Encyclopedia Brown* children's books; and
- Successfully defending publisher and author Judith Regan in a lawsuit brought against her by Dreier LLP, during which Mr. Eilender was the only attorney who obtained leave to depose Marc Dreier while he was under home confinement.

## Securities Litigation

- Persuading the Securities and Exchange Commission to take the rare step of withdrawing a civil insider trading action brought in the Southern District of New York and returning over \$4 million in frozen funds to his client;
- Obtaining a significant award on behalf of a retail customer in a FINRA arbitration against a large financial institution;
- Dissuading FINRA from bringing unsuitability charges against broker after Wells Submission; and
- Currently representing a financial advisor and hedge fund promoter in FINRA and SEC enforcement proceedings.

Mr. Eilender has been designated a Super Lawyer for the New York Metro Area from 2010-2013 in the area of commercial litigation. He is a member of the Association of the Bar of the City of New York, the American Bar Association, and the Business Divorce and Private Company sub-committee of its Business Law Section. Mr. Eilender is also a member of the Commercial and Federal Litigation Section of the New York State Bar Association and Co-chair of its New York State Judiciary Committee. From 2002-2008 he served on the State Bar Association's Committee of State Courts of Superior Jurisdiction. Since 2003, he has been a member of the Commercial Division (New York County) Advisory Committee, comprised of the Commercial Division judges and a few select attorneys who regularly appear before them, and advises the Commercial Division on its practices. Mr. Eilender is a contributor and editor of the New York **Commercial Division Blog**. He has spoken and

written about the Commercial Division and business divorce and other commercial litigation issues; most recently, he was a panelist with Delaware Vice Chancellor Travis Laster of the Delaware Chancery Court and Associate Justice David Friedman of the Appellate Division, First Department, at a Commercial and Federal Litigation Section panel on The Interplay of Delaware and New York Law in Resolving Corporate and Commercial Disputes at the 2014 annual New York State Bar Convention.

Mr. Eilender received his B.A. from Cornell University in 1988 (magna cum laude in History), where he was elected to Phi Beta Kappa, and his J.D. from Columbia University Law School in 1991, where he was Senior Editor of the Law Review, a Harlan Fisk Stone Scholar, and winner of the Whitney North Seymour Medal for Trial Advocacy. Mr. Eilender clerked for the Honorable Charles M. Metzner, United States District Judge for the Southern District of New York, from 1991 to 1992, and then for the Honorable Morton I. Greenberg, United States Circuit Judge for the Third Circuit Court of Appeals, from 1992 to 1993. Before joining the Firm, Mr. Eilender practiced with Paul, Weiss, Rifkind, Wharton & Garrison.

#### Immediate Contact

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## John M. Lundin

John M. Lundin's practice focuses on the litigation of large, complex commercial disputes, often with a transnational component. He has represented clients in all aspects of complex commercial litigation, including business disputes involving contract, fraud and intellectual property claims; disputes over the control, ownership and breakup of businesses; disputes involving federal antitrust, racketeering and securities law claims; and representing creditors in bankruptcy proceedings. Much of his work has been for clients in the technology, financial services and biotech/pharmaceutical sectors.



Although Mr. Lundin most often litigates in the in the Commercial Divisions of New York's state courts, he has represented clients in state and federal courts throughout the United States, as well as in AAA and FINRA arbitrations. Mr. Lundin serves on the Commercial Division Advisory Committee, which advises the justices of the Commercial Division of New York County Supreme Court. He also is a mediator for the Commercial Division's Alternative Dispute Resolution Program. Mr. Lundin blogs about recent developments in the Commercial Division at **[The Commercial Division Blog](#)**.

His representations have included:

- a US Internet portal operator in a contract dispute with a Canadian content provider;
- a Bermudian telecommunications satellite company defrauded by its US corporate cash manager;
- an Indian pharmaceutical company accused of stealing trade secrets from

a US pharmaceutical company;

- a US technology licensing company in a patent licensing dispute with a British chemical company;
- Middle Eastern and European investors who were victimized by a global Ponzi scheme masquerading as a hedge fund;
- a European financial services company in a dispute regarding its purchase of a Mexican insurance company;
- a member of a US LLC controlled by a British investor suing over the control of more than \$500 million in assets;
- foreign investors in a bankruptcy adversary proceeding against the owner of a hedge fund manager;
- a French telecommunications company in a patent licensing dispute with a US technology company;
- a computer diagnostic software seller in a class action lawsuit alleging fraudulent marketing of its software;
- a major US telecommunications company in contract and related disputes with various competitive local exchange carriers;
- institutional investors accused of antitrust violations in connection with tax lien auctions;
- a hedge fund bringing fraud and other claims against the founders of a financial services in which the hedge fund had invested;
- a law firm accused of improprieties in connection with consumer debt collections; and
- a major New York real estate developer in connection with a failed real estate deal.

Mr. Lundin is an active member of the Association of the Bar of the City of New York, where he is a current member of the Committee on Alternative Dispute Resolution and a past member of the Committees on State Courts of Superior Jurisdiction and Military Affairs and Justice.

Mr. Lundin has been a panelist at CLE and professional development presentations sponsored by the City Bar and the Practicing Law Institute.

Mr. Lundin joined Schlam Stone & Dolan in July 2002 and became a partner in January 2006. He received his B.S. from Cameron University in 1984 (with highest honors), and his J.D. from Columbia University Law School in 1997, where he was a Kent Scholar, winner of the Thomas E. Dewey Prize for best written brief in the 1996 Harlan Fiske Stone

Moot Court Competition, and Executive Editor of the Columbia Journal of Law and Social Problems. From 1974 to 1994, Mr. Lundin served in the United States Army as an enlisted person, noncommissioned officer and commissioned officer, retiring with the rank of Major. From 1997 to 1998, Mr. Lundin clerked for the Honorable John T. Noonan, Jr., of the United States Court of Appeals for the Ninth Circuit. Before becoming associated with the Firm in July 2002, Mr. Lundin was associated with Cravath, Swaine & Moore.

Mr. Lundin is a member of the New York Bar, as well as the Bars of the United States Courts of Appeal for the Second and Federal Circuits and the United States District Courts for the Southern and Eastern Districts of New York.

#### Immediate Contact

**[Tap here to send Mr. Lundin an email](#)**

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**Julie A. North**

Partner, Litigation



Julie A. North is a partner in Cravath’s Litigation Department. Her broad litigation practice encompasses general commercial, securities, and mergers and acquisitions litigation, among other areas. She also has experience in advising and defending clients in matters involving the Foreign Corrupt Practices Act.

In the past several years, Ms. North has represented various financial institutions in connection with litigation over several high profile leveraged finance transactions including URI, Clear Channel and Huntsman. Ms. North has also advised outside directors of financial institutions in connection with the 2008 credit crisis. She is currently defending Credit Suisse in actions around the country relating to residential mortgage-backed securities.

Ms. North also represents the former outside directors of Massey Energy Company in shareholder derivative litigations filed in West Virginia and Delaware state courts and represents the former outside directors and the company in a consolidated securities class action filed in West Virginia federal court, all in connection with the explosion at Massey’s Upper Big Branch mine in West Virginia in April 2010. She is also defending the board of directors of Alcoa Inc. in various derivative actions alleging that Alcoa paid bribes to secure business with Aluminium Bahrain B.S.C., an aluminum smelting company principally owned by Bahrain. Ms. North previously represented Alcoa in a civil law suit relating to those allegations as well as in DOJ and SEC investigations into alleged FCPA violations, all of which settled.

Ms. North’s recent representations include:

- Successfully defended Credit Suisse in a multibillion-dollar federal class action litigation commenced by Enron shareholders in the wake of Enron’s bankruptcy.
- Successfully represented Credit Suisse and Deutsche Bank in litigation regarding the Hexion/Huntsman merger in Delaware, Texas and New York.
- Obtained the dismissal of all claims against Credit Suisse in securities class actions relating to Dynegy Inc., El Paso Corporation and Anchor Glass Corporation.
- Represented the outside directors of Merrill Lynch in securities, derivative and ERISA actions filed in New York State Supreme Court, the Delaware Chancery

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**Education**

J.D. Syracuse University, 1989, *magna cum laude*

B.A. Hamilton College, 1984, *cum laude*

**Professional Affiliations**

- International Bar Association
- New York State Bar Association
- Co-Chair, Commercial Division Committee of the Commercial and Federal Litigation Section

**Organizations**

- Human Rights First
  - Board of Advocates
- Hamilton College
  - Board of Trustees
- Syracuse University College of Law
  - Board of Advisors
  - Executive Committee
- Read Ahead
  - Board of Directors
- Trudeau Institute
  - Board of Trustees
- Legal Momentum
  - Board of Legal Advisors

**Professional Recognition**

*Benchmark Litigation*

- Securities Star - National (2015-2010)
- Local Litigation Star: Commercial Litigation - New York (2015-2012)
- Local Litigation Star: Securities - New York (2015-2012, 2010)
- Future Star (2011, 2010, 2009)

*Benchmark Top 250 Women in Litigation* (2014, 2013, 2012)

*Super Lawyers* - New York

- General Litigation (2014, 2013, 2011)

Court and the U.S. District Court for the Southern District of New York arising from the merger between Merrill and Bank of America. Claims against the directors in these actions were dropped.

- Represented Merrill outside directors in a class action filed by former Merrill employees in the Southern District of California for violation of ERISA, breach of duties, and other state law claims relating to Merrill's policies and procedures regarding the vesting and forfeiture of awards under its employee pension benefit plans. All but one of the claims against the directors were dismissed. The plaintiffs agreed to voluntarily dismiss the remaining claim without prejudice.
- Represented Dutch telecommunications company Royal KPN N.V. in litigation brought by international long distance telephone carrier iBasis Inc. in Delaware Chancery Court and the U.S. District Court for the Southern District of New York seeking to enjoin KPN's tender offer for all shares of common stock of iBasis not already owned by KPN. KPN and iBasis entered into a settlement agreement pursuant to which KPN made a final increase of its offer for the outstanding shares in iBasis not otherwise held by KPN. The transaction closed on December 21, 2009.
- Represented Darlene Investments LLC in various litigation and arbitration proceedings against The DIRECTV Group, Inc. ("DIRECTV") relating to DIRECTV Latin America, LLC ("DTVLA"), a satellite television business in which DIRECTV was the majority owner and Darlene the minority owner. In January 2007, the parties entered into a settlement agreement whereby DIRECTV agreed to acquire Darlene's interest in DTVLA and resolved all outstanding disputes between the parties for \$325 million.

Ms. North's pro bono efforts have been focused on working with the American Civil Liberties Union ("ACLU") and other national organizations to reform the manner in which states provide legal services to indigent citizens. Those efforts brought about reform in the states of Montana and Michigan.

Ms. North was named a "National Star" in securities litigation by *Benchmark Litigation* from 2010 through 2015 and has also been recognized by that publication as a "Local Litigation Star" in the New York area for securities and general commercial litigation. She was featured in *Benchmark's Top 250 Women in Litigation* from 2012 through 2014. Ms. North was also ranked by *Super Lawyers* for her work in general litigation. Ms. North has spoken on a number of securities law topics for the Practising Law Institute, including class action defense, the limits of U.S. jurisdictional reach, Delaware law and ethics rules, and current trends in securities litigation.

Ms. North has served on the Board of Trustees at Hamilton College and the Board of Advisors at Syracuse University College of Law. She is currently on the board of Central City Chorus, an organization with which she has been singing for over 20 years. Ms. North is also a member of the Board of Directors of Read Ahead, the Board of Trustees of the Trudeau Institute, the Board of Advocates of Human Rights First, and the Board of Legal Advisors of Legal Momentum. Ms. North is the co-chair of the Commercial Division Committee of the

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#### EXTRAS

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*Benchmark* Names Cravath Partners Among Top 250 Women in Litigation for the Third Consecutive Year

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Sandra Goldstein and Julie North Named Top Litigators by *Benchmark Litigation* for the Second Time

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Department of Justice and Securities and Exchange Commission Issue FCPA Guidance

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Julie North Speaks at PLI Seminar

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Commercial and Federal Litigation Section of the New York State Bar Association. She is also a member of the International Bar Association.

Ms. North was born in Canberra, Australia. She received a B.A. *cum laude* from Hamilton College in 1984 and a J.D. *magna cum laude* from Syracuse University College of Law in 1989, where she was Notes and Comments Editor of the Law Review and a member of the National Appellate Team. Ms. North joined Cravath in 1989 and became a partner in 1997.

Ms. North may be reached by phone at +1-212-474-1752 or by email at [jnorth@cravath.com](mailto:jnorth@cravath.com).

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RELATED STORIES

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Cravath Represents Credit Suisse in Dismissal of RMBS Litigation

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**Royal KPN's Settlement Agreement with iBasis**

Cravath Represents Royal KPN In Its Settlement Agreement with iBasis

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On Behalf of Credit Suisse and Deutsche Bank, Cravath Successfully Concludes Litigation over Huntsman's Failed Merger with Hexion

Litigation + General Commercial Litigation and Contractual Disputes + Mergers, Acquisitions and Business Transactions + Financial Institutions

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