

Tyler H. Amass

Of Counsel

tamass@gibsondunn.com

T: +1 303.298.5712

Denver

Tyler H. Amass is Of Counsel in the Denver office of Gibson, Dunn & Crutcher. Ty practices in the Firm's Litigation Department, with a primary focus on commercial and business litigation, including M&A litigation, breach of fiduciary duty and securities law claims against companies and directors, corporate control contests, activist-investor litigation, and breach of contract claims. He has significant experience handling all phases of expedited litigation, including seeking and opposing temporary restraining orders and preliminary injunctions, engaging in expedited discovery and trying cases on an expedited basis. In addition to representing clients following the filing of a claim, Ty routinely advises clients in connection with potential mergers, acquisitions, or other changes in control, to best position them for the litigation those actions routinely attract.

Ty also has a deep commitment to pro bono work: he has successfully represented victims of domestic abuse in family and immigration court and has won asylum for clients before Asylum Officers and Immigration Court Judges. Ty was awarded the 2010 Pro Bono Achievement Award by Sanctuary for Families and was a member of the litigation teams that received the Firm's Frank Wheat Memorial Pro Bono Award for leadership and initiative in pro bono work in both 2013 and 2014.

Ty joined the New York office of Gibson Dunn in 2007 and transferred to the Denver office in 2014. He earned his Juris Doctor from NYU School of Law, where he was an editor of the *NYU Journal of Law and Business*. He earned his Bachelor of Arts, *magna cum laude*, in Politics and Psychology from New York University's College of Arts and Science.

Ty is admitted to practice in the State of Colorado and the State of New York, as well as in the U.S. District Court for the District of Colorado, the U.S. District Court for the Eastern District of Wisconsin, the U.S. District Courts for the Southern and Eastern Districts of New York, and the U.S. Courts of Appeals for the Second and Tenth Circuits.

Representative Matters

- **Special Litigation Committee of the Board of El Pollo Loco:** Represent a Special Litigation Committee created by the Board of El Pollo Loco to investigate claims related to alleged insider trading in connection with over \$130 million in insider stock sales.
- **Private Company Dispute:** Represented minority owners of a group of closely held construction companies in a lawsuit alleging fraud, shareholder oppression, and violations of Wisconsin's books and records law. Following a string of highly favorable decisions—including a decision granting our clients access to an unprecedented amount of company books and records and a separate sweeping discovery ruling, in which the Court found that "[f]rom day one, Defendants have engaged in what can charitably be described as dilatory obfuscation," and accused the "defendants [of] hiding the ball"—the parties entered into a confidential settlement.



Capabilities

Litigation
Mergers and Acquisitions
Securities Enforcement

Credentials

Education

New York University - 2007 Juris Doctor
New York University - 2004 Bachelor of Arts

Admissions

New York Bar
Colorado Bar

- **Medallion Financial Corp.:** Obtained dismissal of putative stockholder derivative action filed against current and former directors of Medallion Financial Corp.
- **Marriott International:** Defended Marriott Hotels against expedited litigation seeking to prevent the combination of Marriott and Starwood Hotels. Won a rare early dismissal for Marriott on aiding and abetting claims in Maryland State Court at the close of the initial court conference.
- **Artémis and Francois Pinault:** Represented Artémis and Francois Pinault in the complex multi-year Executive Life litigation brought by the California Insurance Commissioner. In 2012, upon retrial of the sole count on which the prior jury had deadlocked, obtained a complete defense verdict from the jury on the Insurance Commissioner's remaining \$4 billion claim.
- **Yukos Capital:** Represented companies pursuing the interests of former shareholders of Yukos Oil Company and their affiliates in complex multi-jurisdictional litigation arising from the forced bankruptcy and liquidation of Yukos in the Russian Federation, including by obtaining a \$185 million judgment in the Southern District of New York confirming an ICC arbitral award in favor of Yukos Capital S.a.r.l. against OAO Samaraneftgaz and affirmance by the Second Circuit.
- **Transatlantic Re:** Represented Transatlantic and its directors in litigation brought by hostile bidder and shareholder plaintiffs alleging breaches of fiduciary duties in connection with the potential merger or sale of Transatlantic. Won key victories before Delaware Chancery Court in which the Court refused to grant plaintiffs' motions to expedite proceedings and to set a preliminary injunction hearing date. Also filed an action in Delaware Chancery Court that forced hostile bidder to withdraw invalid proxy materials that conflicted with company bylaws. These victories stopped the lawsuits in their tracks and paved the way for a successful negotiated transaction between Transatlantic and another bidder. Also brought an action in federal court under the securities laws against the hostile bidder.
- **Tenet Healthcare:** Represented Tenet in successful defense of unsolicited takeover offer from Community Health Systems. Less than one month after Tenet filed a complaint against Community alleging misstatements in Community's proxy solicitations, Community withdrew its takeover proposal. Also defeated efforts by plaintiff shareholders to obtain expedited discovery and to schedule a preliminary injunction regarding breach of fiduciary duty allegations in Nevada state court. The court subsequently granted Tenet's motion to dismiss the shareholder complaint in its entirety before any discovery.
- **Verizon:** Successfully moved to dismiss more than a dozen causes of action against Verizon, sounding primarily in fraud, misrepresentation, breach of contract and quasi-contract, in a major real estate dispute.

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