

# Mary Beth Maloney

Partner

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New York

Mary Beth Maloney is a partner in the New York office, and a member of the Litigation, Life Sciences, Securities Litigation, and Business Restructuring Practice Groups. She serves as the Co-Chair of Hiring for the New York office. Mary Beth is ranked by *Chambers USA* in its New York Securities Litigation category, listed as a "Recommended Lawyer" in Securities Litigation: Defense by the *Legal 500 US*, and recognized by *The Best Lawyers in America®* for Commercial Litigation. Her securities and commercial disputes practice includes first-chair representation of investment funds and advisors in commercial litigation and government investigations, life sciences clients in multi-million-dollar licensing and other contract disputes, as well as companies, boards, and executives in contract and shareholder disputes. She has also defended numerous clients in securities-related civil class actions as well as advised on responding to investigations and enforcement actions by various government agencies, including the Securities and Exchange Commission.

**Complex Commercial Litigation:** Mary Beth's complex commercial litigation practice includes representations in federal and state courts, arbitration, and in multi-billion federal bench and jury trials, including representing Chevron Corporation in what *The American Lawyer* called "The Case of the Century," Chevron's successful RICO and fraud suit to bar the enforcement of a \$9 billion fraudulent Ecuadorian judgment. Her recent lead counsel experience includes:

- Achieved a favorable settlement for Coupang, the "Amazon of South Korea," successfully resolving a contract dispute in the Delaware Court of Chancery;
- Achieved a favorable settlement for an international hedge fund, successfully resolving a dispute in the District Court of the District of Columbia with the Federal Deposit Insurance Corporation in connection with the collapse of Silicon Valley Bank;
- Obtained a complete dismissal on behalf of a group of investment funds in a contract dispute in both the Southern District of New York and Delaware Bankruptcy Court;
- Defending PepsiCo in a contract dispute pending in New York Supreme Court with several of its independent bottlers; and
- Representing Patriarch Partners Management Services, a private equity management services company, in a contract dispute for payment of management fees pending in New York Supreme Court.

**Life Sciences Representations:** Mary Beth is uniquely skilled in navigating life sciences companies through litigation and arbitration. Her recent experience includes:

- Achieved a favorable settlement for Esperion Therapeutics, successfully resolving a pharmaceutical licensing dispute in the Southern District of New York;



## Capabilities

Litigation  
Business Restructuring and Reorganization  
Life Sciences  
Real Estate Disputes  
Securities Litigation  
Transnational Litigation

## Credentials

### Education

University of Southern California - 2007  
Juris Doctor  
Barnard College - 1998 Bachelor of Arts

### Admissions

California Bar  
New York Bar

### Clerkships

USDC, Central District of California, Hon.  
Alicemarie H. Stotler, 2007 - 2008

- Obtained partial judgment (with attorneys' fees) in favor of Alcon against Aurion Biotech in a voting rights dispute in the Court of Chancery in the State of Delaware;
- Achieved a favorable settlement for Immunomedics (owned by Gilead Science) and its former executives in a securities fraud class action in the District Court of New Jersey;
- Achieved a favorable settlement for individual investors and former Board members of Altor Bioscience in an appraisal action in the Court of Chancery of the State of Delaware; and
- Currently represents numerous pharmaceutical royalty license holders and collaboration agreement parties in contract disputes at the pre-litigation stages and in arbitrations.

**Securities Litigation:** Mary Beth handles securities-related civil class actions as well as SEC investigations and litigation, including representing Ms. Lynn Tilton against fraud charges brought by the SEC, defeating debarment and disgorgement of \$200 million. Her recent lead counsel experience includes:

- Obtained complete dismissal for Centerview Partners and one of its managing directors of civil securities and common law fraud claims;
- Achieved a favorable settlement for Sequential Brands Inc. after a multi-year investigation in which the SEC pursued charges for fraud and financial reporting violations;
- Achieved a favorable settlement for Sequential's former Directors in a civil securities fraud class action the Southern District of New York;
- Representing Vale, Brazil's largest mining company, in a civil securities fraud class action pending in the Eastern District of New York;
- Defending Medallion Financial and its executives in a securities fraud action brought by the SEC in the Southern District of New York; and
- Representing Hut 8, a FinTech company, in a civil securities fraud class action pending in the Southern District of New York.

#### **Boards and Other Professional Affiliations**

Mary Beth is a member of the Permanent Commission on Access to Justice, supporting equal access to New York courts. She is on the Board of Directors for both the Center for Justice Innovation and the New York City Urban Debate League. She is also an Advisory Board Member for Women in Funds, an organization of fund-related attorneys and compliance professionals.

#### **Prior Professional Experience**

Before joining Gibson Dunn, Mary Beth served as a law clerk to the Honorable Alicemarie H. Stotler, then Chief Judge of the United States District Court for the Central District of California. Prior to attending law school, Mary Beth worked for six years in the California State Capitol.

#### **Education**

Mary Beth earned her Juris Doctor from the University of Southern California Gould School of Law. There, she was Editor-in-Chief of the *Southern California Interdisciplinary Law Journal*. She earned her Bachelor of Arts degree from Barnard College, where she was an Erica Jong Writing Fellow, elected to Phi Beta Kappa, and graduated in three years, *magna cum laude*.

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