

Seth M. Rokosky

Of Counsel

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New York

Seth M. Rokosky is of counsel in the New York office of Gibson Dunn. He is a member of the firm's Litigation Department and focuses his practice in the Appellate and Constitutional Law group, where he litigates a broad array of commercial litigation matters at the trial and appellate levels in both state and federal court.

Seth has had extensive appellate experience. He has conducted 30 oral arguments and filed more than 90 appellate briefs in both state and federal court, including the U.S. Supreme Court, the U.S. Courts of Appeals, the New York Court of Appeals, and other New York appellate courts. His experience includes affirmative and defensive appeals, emergency motions, stay applications, and amicus briefs, and it covers a wide range of subject matters such as commercial litigation, securities litigation, antitrust, bankruptcy, RICO, intellectual property, C.P.L.R. article 78, civil and criminal procedure, administrative procedure, class actions, and constitutional law.

In the trial court, Seth maintains a robust litigation practice, with a particular focus on complex briefing and providing strategic advice to trial counsel. Seth is often asked to analyze and brief difficult issues of paramount importance to our clients, and he is regularly embedded on trial teams. He has been consulted on all aspects of a case from complaint to final judgment. Seth has drafted pleadings, served discovery documents, briefed dispositive and *Daubert* motions, composed jury instructions and verdict forms, prepared pre- and post-trial submissions, and negotiated settlement.

Seth is currently serving as Co-Chair of the Appellate Practice Committee of the New York State Bar Association's Commercial and Federal Litigation Section, which works to improve appellate representation in commercial litigation by writing and speaking about matters of interest to appellate lawyers and judges, developing programs specific to appellate litigation, and working with the bar association to improve appellate practice. He rejoined Gibson Dunn after serving in the New York Attorney General's Office. As an Assistant Solicitor General, his public service included representing the State and its agencies as principal attorney on 43 appellate matters.

Seth has been recognized, since 2021, in *Best Lawyers: Ones to Watch® in America* for Appellate Practice.

Seth has received numerous awards for his pro bono service. He has received three outstanding service awards from the Legal Aid Society for work on behalf of a class of disabled New Yorkers challenging a disaster food stamp program in the wake of Hurricane Sandy. The National Association of Criminal Defense Lawyers and New York State Bar Association have also recognized his pro bono work at the firm.

Prior to joining Gibson Dunn, he served as a law clerk to the Honorable Thomas M. Hardiman of the U.S. Court of Appeals for the Third Circuit. Seth also served as a legal intern to the Honorable Sara Lioi of the U.S. District Court for the Northern District of Ohio.



Capabilities

Appellate and Constitutional Law
Administrative Law and Regulatory Practice
Antitrust and Competition
Class Actions
Intellectual Property
Litigation
Public Policy
Securities Litigation

Credentials

Education

University of Pennsylvania - 2011 Juris Doctor
The Ohio State University - 2008 Bachelor of Arts

Admissions

New York Bar

Clerkships

US Court of Appeals, 3rd Circuit, Hon. Thomas Hardiman, 2011 - 2012

Seth graduated *cum laude* from the University of Pennsylvania Law School in 2011, where he was a legal writing instructor and an extern in the appellate program. He was also a member of the moot court board and a senior editor of the *Penn Law Review*, which published his comment, *Denied and Disparaged: Applying the "Federalist" Ninth Amendment*, 159 U. Pa. L. Rev. 275 (2010). Seth received his undergraduate degrees, *summa cum laude*, in History and Philosophy from the Ohio State University, where he graduated with honors and research distinction in history.

Outside of his legal practice, he is an accomplished competitive chess player. He is certified a "National Master" by the United States Chess Federation, with accomplishments including a national championship and numerous state championships.

Seth is admitted to practice law in the State of New York, the Southern District of New York, the U.S. Courts of Appeals for the Second and Third Circuits, and the U.S. Supreme Court.

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