

Media & Entertainment MVP: Gibson Dunn's Orin Snyder

By **Scott Flaherty**



Orin Snyder

Law360, New York (December 20, 2012) -- With passion and a trial lawyer's mindset, Gibson Dunn & Crutcher LLP's Orin Snyder has recently led efforts to undermine the case of man who claimed he was entitled to half-ownership of Facebook Inc., work that, along with other successes, has earned Snyder a spot among Law360's Media and Entertainment MVPs.

The Gibson Dunn partner represented Facebook in a breach of contract case first brought against the company in 2010 by Paul Ceglia, a New York resident who claimed that he had entered a 2003 agreement with the social network's CEO, Mark Zuckerberg, under which Ceglia was purportedly promised a 50 percent interest in the project that later became Facebook.

The suit “was critically important to Facebook,” Snyder said, and the Gibson Dunn attorney, who spent time in a U.S. attorney's office earlier in his career, called on an approach he often takes in litigating cases — putting on his “prosecutor's cap.”

“From day one this was a fraud case that I approached with my prosecutor's hat on,” he said. “We hired the top investigators in the country, we hired the top forensic experts in the country.”

Once those experts had examined the agreement that, Ceglia claimed, contained terms that granted him a stake in Facebook's ownership, they turned up evidence showing the supposed contract had been doctored, according to Snyder. The Gibson Dunn partner and his team moved to toss the suit in March, arguing that Ceglia's case was “based on fraud” and “must be immediately dismissed,” according to a New York federal court filing from the time.

The civil suit and the motion to dismiss are pending, but Ceglia is now facing criminal wire and mail fraud charges brought by federal prosecutors, who alleged the civil action was part of a scheme intended to bilk Facebook and Zuckerberg out of billions of dollars. A federal grand jury indicted Ceglia in late-November on two counts of fraud.

Snyder — who describes his practice as a “broad trial lawyer practice” that often leads to his representing clients in the media and entertainment world — said he is typically “retained by clients in 'bet-the-company' cases” like Ceglia's suit against Facebook and Zuckerberg.

Over the last year, he also handled another such case on behalf of Cablevision System Corp. unit Voom HD Holdings LLC, which was embroiled in a contract dispute with DISH Network Corp.

In the suit, Cablevision and former subsidiary AMC Networks Inc. sued, alleging they lost out on \$2.4 billion in licensing fees, after Dish pulled out two years into a 15-year deal in which it had agreed to carry Voom's high-definition television channels.

Once again, Snyder said, he and his team adopted a prosecutor's frame of mind, this time honing in on the defendant's evidence to “expose major fault lines” in Dish's efforts to preserve documents. On multiple occasions, the presiding New York state judge admonished Dish for allegedly destroying documents.

“We had a 'take no prisoners' approach to the litigation,” Snyder said. “That was a scorched earth litigation from the moment I took over the case.”

The case, which went to trial, resulted in a late-October settlement, in which Dish agreed to pay \$700 million to resolve the contract claims. Snyder said the deal was “extremely favorable” to his client.

Beyond his work for corporate clients like Facebook and Cablevision, Snyder has also represented individual celebrities — including comedian Jerry Seinfeld and wife Jessica, as well as legal television host Nancy Grace — in a range of different types of cases.

In a recent example, he helped broadcast news personality Barbara Walters beat defamation claims from Nancy Shay, a woman who had gone to school with Walters' daughter in the 1980s. The suit, which was thrown out of Massachusetts federal court in March, stemmed from Walters' autobiography published in 2008, which Shay said contained portions that allegedly defamed her.

Across all his work, Snyder said, he has “always approached the practice of law with creativity and a critical eye,” an attribute he traces back to his childhood in New York City's Greenwich Village, where he learned to “think outside the box” from a young age, he said.

In conjunction with that creative approach, Snyder pointed to another factor that partly explains his success at trials — he takes pains to strip out needless details and present each case as a story meant to sway a judge or jury, he said.

“I think that, often times, lawyers get all mixed up in the morass of legal doctrine and forget that the job of a trial lawyer is to persuade,” he said. “My goal is in any case is to simplify, simplify, simplify, streamline, streamline, streamline ... and then present a narrative.”

But beyond the skill of crafting a compelling narrative in a given case, Snyder's success may boil down to something even simpler: truly caring about his clients' plights.

“I approach my cases with a passion and intensity because I care, not because it's an affect,” he said. “I wear my client's heart on my sleeve.”

--Editing by Richard McVay.

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