

## Seth M. Cohen

Partner

New York

### Biography

Seth M. Cohen is a trial lawyer who litigates a wide variety of complex commercial litigation matters in federal and state trial courts and appellate courts. His experience spans the areas of breach of contract, breach of fiduciary duty, fraud, RICO actions, government and regulatory investigations, product liability, insurance recovery, and litigation involving clients in the entertainment industry.

Seth brings practical and strategic thought to complex matters and is a trusted advocate of his clients. He has experience litigating complex commercial cases for public and private corporations, including financial institutions and individuals in both bench and jury trials. In one such matter, Seth was part of the trial team representing the former chief operating officer of Countrywide Bank in the largest post-financial crisis era jury trial concerning loan origination fraud.

Seth has deep experience representing companies in post-closing M&A litigation, including cases involving alleged breaches of reps and warranties, fraud, purchase price adjustments, and indemnification claims, among others. Seth routinely represents clients in RICO class actions, including currently defending the U.S. subsidiary of a global licensing and inspections firm against RICO fraud claims arising out of the Puerto Rico Power Authority's fuel procurement practices.

Before entering the legal profession, Seth served as an associate producer at ABC News in New York and as a writer for the NBA, MTV, and VH-1.



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### Practices

Litigation Services

Commercial

Corporate and Securities Litigation

Financial Services

Insurance

International Arbitration

Investment Funds

Mergers and Acquisitions

Private Equity

Products Law

Technology Litigation

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### Industries

Consumer

## Representative experience

Defeated an application for a temporary restraining order in the Southern District of New York for the Republic of Ecuador regarding the restructuring of Ecuador's external debt.

Won dismissal of a RICO complaint against a multibillion-euro real estate development company in the Southern District of New York and argued the appeal before the Second Circuit Court of Appeals.

Lead trial counsel for a former hedge fund partner in high-profile litigation in the Southern District of New York for claims of breaches of fiduciary duty, fraud, conspiracy, and mail/wire fraud.

Successfully recovered US\$15 million as restitution owed to publicly-traded Fortune 1000 company from a former executive who defrauded the company and served time for securities crimes.

Lead trial counsel and court assigned "liaison counsel" for global licensing and inspection firm in RICO action involving 15 defendants in the U.S. District Court for the District of Puerto Rico.

Lead trial counsel in multi-district litigation pending in Texas state court for a global licensing/inspection firm defending claims of negligence in connection with air testing at a chemical plant.

Lead trial counsel in dismissal of defamation claim against multibillion-euro real estate development company and follow up victory on appeal against N.Y. hedge fund.

## Awards and rankings

- Civil Litigation: Defense, Rising Stars, *Super Lawyers*, 2013-2017

## Latest thinking and events

- Press Releases
  - Hogan Lovells obtains appellate decision affirming dismissal of action against CPI Property Group

Financial Institutions

Insurance

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## Areas of focus

Class Actions and Group Litigation

Consumer Finance Litigation

IERP Dispute Resolution

Financial Services Regulatory Investigations and Enforcement

Government Investigations

M&A, Business Transfers, and Restructuring in Financial Services

Infrastructure/Energy M&A and Joint Ventures

Product Litigation

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## Education and admissions

### Education

J.D., Emory University School of Law, cum laude, 2005

B.A., Cornell University, cum laude, 1999

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## Memberships

New York State Bar Association

American Bar Association

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## Bar admissions and qualifications

New York

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## Court admissions

- Press Releases
  - Hogan Lovells advises Official Committee of Unsecured Creditors in Chapter 11 Speedcast International case
- Press Releases
  - Hogan Lovells obtains dismissal of federal RICO action brought by investor plaintiffs seeking more than US\$1 billion
- Press Releases
  - Hogan Lovells Advises the Republic of Ecuador on first-of-its-kind international restructuring

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

U.S. Court of Appeals, Second Circuit

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