

PARTNER

# Matthew G. Coogan

+1.212.930.1203

mcoogan@lswlaw.com



## GOVERNMENT SERVICE

Law Clerk, Hon. Naomi Reice Buchwald, U.S.  
District Court, SDNY (2004-2005)

## EDUCATION

Harvard Law School (J.D., 2001)  
• *cum laude*; Supervising Editor, *Harvard  
Journal on Legislation*

New York University (B.A., 1996)  
• *magna cum laude*; Phi Beta Kappa

## ADMISSIONS

New York  
Massachusetts  
U.S. Court of Appeals, Second Circuit  
U.S. District Court, SDNY  
U.S. District Court, EDNY

For over two decades, Matt has represented entities and individuals in a broad range of business and other civil disputes, white collar criminal and regulatory proceedings, and internal investigations. He regularly handles complex litigation before federal and state trial courts, appellate courts, and arbitral bodies, as well as investigations involving the Department of Justice, the Securities and Exchange Commission, the Financial Industry Regulatory Authority, the Commodity Futures Trading Commission, the Office of the New York State Attorney General, the Consumer Financial Protection Bureau, trading exchanges, and other regulatory and prosecutorial agencies.

Matt's clients—both plaintiffs and defendants—have included corporations, hedge funds, private equity funds, investment and consumer banks, broker-dealers, start-ups, real-estate companies, aviation companies and executives, boards of directors, board committees, non-profit entities, hotels, educational institutions, labor unions, co-op boards, non-governmental organizations, traders, portfolio managers, investment bankers, analysts, corporate directors, officers, and other executives, authors, artists, Broadway and other stage directors, real estate investors and managers, investors, entrepreneurs, law firms, and general counsels. Matt's clients hail from a wide range of industries, including banking, finance, law, technology, arts and entertainment, aviation, real estate, energy, automotive products, health care, pharma, retail, consumer products, hospitality, government, higher education, and not-for-profit. He is highly experienced in subject areas such as complex financial instruments, copyrights and other intellectual property, defamation, commercial contracts, fraud, corporate governance, antitrust, the Foreign Corrupt Practices Act, False Claims Act, insider trading, securities regulation, environmental regulation, bankruptcy, public corruption, campaign finance, and attorney malpractice and misconduct.

Matt also maintains a *pro bono* practice, representing individuals in criminal appeals, immigration matters, and government investigations.

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Prior to joining LSW, Matt was a litigator at Cravath, Swaine & Moore, where he represented corporate clients in civil litigation.

### Representative Matters

#### *Civil Litigation and Other Disputes*

- Represented investment banking and asset management firm as plaintiff against former officers and outside vendor alleging claims for civil RICO violations, fraud, breach of fiduciary duty, and unjust enrichment, arising out of multi-year fraudulent invoicing scheme.
- Represented aviation operator as plaintiff against membership-based airline alleging claims for breach of contract, conversion, and unjust enrichment.
- Represented Broadway director as plaintiff in litigation against producers of major Broadway production, alleging claims for copyright infringement, breach of contract, and declaratory judgment, arising out of defendants' firing of plaintiff and subsequent unauthorized use and manipulation of musical book.
- Represented acquiror of luxury hotel chain as plaintiff against former business partner, involving claims for fraud and aiding-and-abetting fraud.
- Represented aviation operators as plaintiffs in litigation against Long Island town arising from restrictive airport regulations.
- Represented real estate firm and investor as plaintiff against former business partner alleging claims for fraud, breach of contract, breach of fiduciary duty, unjust enrichment, and conversion, arising out of dispute over management and construction of retail shopping center.
- Represented multiple hedge fund portfolio managers as defendants in litigation against hedge funds' liquidators alleging claims for civil RICO violations, fraud, breach of fiduciary duty, conversion, and unjust enrichment, arising out of hedge funds' collapse.
- Represented private investment firm and firm's founder as defendants in litigation against majority shareholder of investment target.
- Represented president and CEO of financial services company as defendant in class-action litigation related to financial disclosures.
- Represented hedge fund in litigation involving portfolio company.
- Represented international hotel chain in trademark dispute.

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*White Collar and Regulatory Matters*

- Represented equities trader at major financial institution in tax investigation by Office of the New York State Attorney General.
- Represented CFO of major multi-national consumer products corporation in SEC investigation into alleged non-disclosures.
- Represented numerous traders at financial institutions, hedge funds, and private equity funds in investigations by DOJ, SEC, CFTC, and FINRA.
- Represented hedge fund portfolio manager in investigation by U.S. Attorney's Office into alleged fraud.
- Represented founder of startup in investigation by U.S. Attorney's Office into alleged fraud.
- Represented lending industry professional in investigation by Consumer Financial Protection Bureau.
- Represented numerous individual employees of financial institution in investigation related to anti-money laundering compliance.

*Internal Investigations*

- Represented special committee of board of directors of health-care startup in internal investigation into conduct of corporate officers and other employees.
- Represented special committee of board of directors of major university in internal investigation into conduct of university's president, dean, and other personnel.
- Represented non-governmental organization in several internal investigations related to alleged misconduct by organization's personnel and vendors.
- Represented educational service provider in internal investigation into employee's suspected misconduct.
- Represented board of directors of investment banking and asset management firm in internal investigation into suspected misconduct related to potential acquisition.

Publications

*Articles*

"Global Litigator: Considerations in Planning and Taking Depositions Overseas," *Litigation Magazine (ABA)* (June 1, 2019)

"Evolution of General Jurisdiction Rules in the Years Since Daimler AG v. Bauman," *New York Litigator (NYSBA)* (September 1, 2017)

"Rule 68 Offers of Judgment and Mootness, Especially for Collective or Class Actions," *New York Litigator (NYSBA)* (September 1, 2015)

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“Insuring Defense Costs Arising from Disgorgement Claims,” New York Law Journal (2012) (co-author with John S. Siffert)

### Recognition

Super Lawyers

- Business Litigation, Criminal Defense: White Collar, General Litigation, Civil Litigation

### Activities

Law Firm Anti-Racism Alliance (LFAA)

- Co-Chair, Child Welfare Working Group

New York City Bar Association

- Former Member, Professional Responsibility Committee

New York State Bar Association

- Member, Committee on Federal Procedure, Commercial and Federal Litigation Section

Federal Bar Council

- Member

American Bar Association

- Member