

HOLWELL SHUSTER & GOLDBERG LLP



SCOTT DANNER PARTNER

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Scott Danner's practice focuses on complex commercial, shareholder, antitrust and derivative litigation in federal and state courts. He has also conducted internal investigations for leading public companies and defended individual and corporate clients in criminal and regulatory proceedings. Scott's previous engagements include reinsurance disputes, cross-border matters, securities-related matters, fiduciary duty claims, bankruptcy and distressed debt litigation, and white collar defense. He has extensive experience representing clients in New York appellate courts, including numerous successful appeals to the New York Court of Appeals and the Appellate Division, First Department. Scott is actively involved in HSG's *pro bono* practice, and regularly represents indigent criminal defendants on appeal. He has also served as the co-chair of the Appellate Courts Committee of the New York County Lawyers Association.

Scott has been recognized on Benchmark Litigation's Under 40 Hot List since 2020, and as a Rising Star in the 2018-2020 editions of *New York Metro Super Lawyers*. He was also recommended in Legal 500's 2021 guide for his litigation work.

Prior to joining Holwell Shuster & Goldberg, Scott was a litigation associate with Wachtell, Lipton, Rosen & Katz. Scott graduated *summa cum laude* from the Benjamin N. Cardozo School of Law, where he was awarded the Felix Frankfurter Prize, the school's highest discretionary academic honor. Following law school, he served as a law clerk to the Honorable Colleen McMahon of the Southern District of New York and the Honorable Robert S. Smith of the New York Court of Appeals, New York's highest court.

NOTABLE CASES

- Melody Business Finance, a hedge fund, in litigation against former hedge fund billionaire Philip Falcone, securing an award of \$69.8 million—approximately 99% of the amount sought following a trial on damages.
- The Bank of New York Mellon in an RMBS putback dispute involving hundreds of millions of dollars, including a successful opposition to an RMBS sponsor's appeal in the New York Court of Appeals.
- Valassis Communications, Inc., a MacAndrews & Forbes company, as plaintiff in litigation against News Corp. and its subsidiaries alleging federal and state antitrust violations, unfair competitions, and tortious interference seeking more than \$600 million in damages. Valassis defeated summary judgment and then reached a confidential settlement during jury deliberations following a nearly three-week trial in the Southern District of New York.
- Melody Capital Partners, an investment fund, as plaintiff in various litigations and out-of-court foreclosures under the Uniform Commercial Code resulting from defaults under loan agreements secured by equity interests, real estate, and fine art, among other collateral.
- IAC/InterActiveCorp and Match Group, Inc. in litigation brought by the founders of Tinder seeking several billion in damages over the corporate consolidation of Tinder and Match.

- Minority partners, and management of an auto-loan servicing business in Puerto Rico, in a contentious partnership dispute with the majority partner, a prominent New York hedge fund.
- Alstom, N.A., a French industrial conglomerate, in a purchase-price adjustment dispute with General Electric, arising from Alston's purchase of a rail-signaling business from GE for nearly \$1 billion.
- Several non-U.S. companies in proceedings under 28 U.S.C. § 1782 seeking discovery in the United States for use in litigations or arbitrations pending abroad, including defeating motions to quash and winning motions to compel before District Courts in New York and Connecticut, and prevailing in a precedent-setting appeal before the U.S. Court of Appeals for the Second Circuit.
- An ad hoc committee of creditors of LATAM Airlines, in connection with their successful opposition to a novel DIP-financing proposal.
- A global private equity firm in Bankruptcy Court proceedings initiated by creditors of an insolvent portfolio company.
- A reinsurer in a long-running dispute over a \$200 million reinsurance cession, resulting in a landmark reinsurance decision from the New York Court of Appeals.
- Directors in a publicly traded financial services company against claims for securities fraud and breach of fiduciary duty arising from the company's bankruptcy.
- Directors in a major automotive company in connection with securities law and fiduciary duty claims, and civil and criminal investigations, arising from a product defect.
- A major financial institution in federal and state court litigation arising from the collapse of the Madoff Ponzi scheme; successfully defended separate putative class and mass actions alleging federal securities and state law claims.
- Several public companies and their directors in multi-jurisdictional shareholder litigation related to M&A transactions, including NYSE Euronext and Astoria Financial Corp.
- Several indigent criminal defendants in appeals to the Appellate Division, First Department and New York Court of Appeals, including obtaining leave and prevailing on an appeal setting important limits on New York's "mini-RICO" statute, resulting in the unanimous reversal of his client's conviction and dismissal of the indictment.

CLERKSHIPS

- Hon. Colleen McMahon, U.S. District Court for the Southern District of New York, 2011 – 2012
- Hon. Robert S. Smith, New York State Court of Appeals, 2009 – 2011

EDUCATION

- Benjamin N. Cardozo School of Law (J.D., *summa cum laude*, 2009; Felix Frankfurter Prize; *Cardozo Law Review*)
- Cornell University (B.A., 2005; Phi Beta Kappa)

BAR AND COURT ADMISSIONS

- New York
- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of Michigan