



Charles A. Gilman

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Cahill Gordon & Reindel LLP

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Practices:

Corporate Governance & Investigations
Crisis Advisory Group
Environmental
Litigation

Education:

The Wharton School of the University of Pennsylvania, B.S., 1971, *with honors*
University of Virginia School of Law, J.D., 1974

Bar Admissions:

New York
Washington, D.C.

Charles A. Gilman is a member of the Firm's litigation practice group, and Co-Administrative Partner of the Firm.

Charlie has successfully litigated a wide variety of public and private matters of size and import in federal and state courts throughout the country, both at trial and on appeal. He frequently leads complex and multidistrict litigation, often involving parallel federal and state class actions and governmental investigations and proceedings, and has managed numerous and sensitive special and independent committee investigations concerning corporate fraud and mismanagement, insider trading, foreign payments and accounting restatements. He represents our nation's largest law firms in complex litigation matters involving alleged violations of federal securities laws and professional responsibility. During the credit crisis, Charlie counseled investment banks concerning over \$200 billion in troubled credit transactions. In 2011, Charlie won dismissals of three nationwide class actions and several large individual actions seeking billions of dollars for alleged securities fraud, and also recovered over \$350 million for clients.

Charlie is recognized as one of New York's top trial lawyers by *Chambers USA* and has been named among the top securities litigators in New York by *The Legal 500*.

SELECTED MATTERS:

- won landmark permanent injunction in action for theft of trade secrets/violation of Computer Fraud and Abuse Act;
- recovered \$700 million in action on asset sale agreement involving alleged "material adverse change";
- recovered over \$1 billion in property damage/business interruption losses arising out of terrorist attacks;
- counsel for underwriters in *Enron*, *WorldCom*, *Refco*, *Livent* and other private and governmental proceedings;
- won dismissal (affirmed on appeal) of antitrust claims in landmark interpretation of FTALA;
- successfully defended financial service firms in actions alleging sale of \$5 billion in unregistered securities, enjoining all 50 states' attorneys general from initiating civil litigation (affirmed on appeal);
- successfully represented target in antitrust grand jury investigation of price fixing in original equipment and replacement tire markets (investigation closed, no action);
- won dismissal (affirmed on appeal) of action seeking \$300 million for tortious interference with acquisition of French real estate

properties;

- won summary judgment for largest redeeming investor in Bayou funds Ponzi scheme;
- successfully defended national law firms in actions by bankruptcy trustees, investors, insurers and former clients seeking over \$1 billion;
- won significant jury verdict and favorable settlement in legal malpractice action against 700+ lawyer firm;
- won trial (affirmed on appeal) in antitrust action seeking to enjoin merger of leading food service companies;
- won dismissal (affirmed on appeal) of action alleging breach of product development agreement;
- won dismissal (affirmed on appeal) of class action alleging securities fraud in London insurance market;
- won jury verdict (affirmed on appeal) in action alleging breach of West Virginia oil exploration contract;
- lead counsel in 200-party Superfund litigation, resulting in landmark release and indemnification of PRP;
- won dismissal (affirmed on appeal) of class actions challenging account fees by national broker-dealers;
- lead counsel for financial services firms in governmental proceedings and parallel class actions involving alleged price fixing and securities law violations in OTC market.

In proposing Charlie as Special Master to oversee coordinated federal and state asbestos litigation involving several thousand pending cases, Judge Charles P. Sifton of the United States District Court for the Eastern District of New York stated, "[T]o move things along, [I have] contacted a gentleman who is here today, Charles A. Gilman, who as many of you may know is an experienced partner at the firm of Cahill Gordon, who has come to my attention and to the attention of a number of other judges in New York for his extraordinary talent in the resolution, settlement of differences in larger-scale litigation. He has, in my experience, shown himself to be remarkable in dealing with many moving parties and to be imaginative in coming up with techniques and devices [through] which a large number of people can see their own interest accommodated."

Charlie is a member of the Court-Appointed Mediation Panels of the United States District Courts for the Southern and Eastern Districts of New York, and is a Complex and Commercial Panel Arbitrator of the American Arbitration Association. He is pre-approved defense counsel on D&O liability insurance policies issued by the largest writer of such insurance, and is counsel to London market syndicates that write professional liability insurance for the world's largest law firms. Charlie is a frequent panelist and regularly teaches continuing legal education programs in securities litigation, legal malpractice, professional responsibility, and the attorney client privilege and work product

doctrines. He is a Life Fellow of the American Bar Foundation, and a Life Member of the Dean's Council of the University of Virginia School of Law.

Charlie joined Cahill in 1974, and was elected to the partnership in 1982. He is admitted to practice in New York and Washington, D.C., and in the Supreme Court of the United States and all thirteen Federal Circuit Courts of Appeals.