



Peter J. Linken

COUNSEL

plinken@cahill.com

212.701.3715 Phone

Cahill Gordon & Reindel LLP

32 Old Slip

New York, NY 10005

Peter's practice concentrates on the defense of corporations, investment banks, credit rating agencies, boards of directors and senior executives in complex securities litigation, regulatory investigations, governmental enforcement proceedings and claims of antitrust violations. While his core practice focuses on claims brought pursuant to the Securities Act of 1933 and the Securities Exchange Act of 1934, Peter also has successfully represented companies defending derivative actions brought pursuant to Delaware law, companies defending bankruptcy avoidance and fraudulent conveyance actions arising from a series of major international Ponzi schemes, and law firms accused of legal malpractice by their international and domestic clients. Peter has successfully litigated matters of first impression concerning the exercise of personal jurisdiction over foreign corporations, including before the appellate courts of various states. He has broad experience in appellate advocacy at both the state and federal levels, and has successfully represented companies in mediation and arbitration.

Since 2008, Peter has represented one of the world's leading credit rating agencies in civil lawsuits alleging violations of the federal securities laws and coordinated actions brought by more than one dozen state Attorneys General arising out of its rating of structured finance securities, including securities backed by subprime mortgages. Peter has also represented multiple investment banks in multi-billion dollar securities litigations, alleging violations of the Securities Exchange Act of 1934 and the Securities Act of 1933. More recently, Peter has represented an international investment bank in connection with claims brought pursuant to the federal antitrust laws concerning alleged manipulation of the financial markets. A recent victory where Cahill secured dismissal of an investor class action alleging that Credit Suisse schemed to trigger a liquidity crunch was profiled by *Law360* as the top weekly "legal lion" success.

In addition to his domestic legal practice, Peter regularly counsels companies and their international lawyers in connection with claims brought before international tribunals, including the courts of England and Australia. His involvement in such cases includes all aspects of the litigation process, including pretrial preparations and preparing witnesses for deposition and trial testimony.

Peter has twice been selected to the New York Metro Super Lawyers "Rising Stars" list and regularly publishes memoranda and articles addressing legal developments that are of interest to the Firm's clients.

SELECTED MATTERS

Select Representative Matters:

- Credit Suisse and certain of its officers in defeating a class action in New York federal court, which alleged that Credit Suisse violated the federal securities laws by failing to disclose adequately the risks associated with its offering of Velocity Shares Daily Inverse VIX Medium Term ETNs.
- Credit Suisse and certain of its officers in defeating a lawsuit brought by opt-out plaintiff Y-GAR Capital LLC, which alleged that Credit Suisse violated the federal securities laws by failing to disclose adequately the risks associated with its offering of Velocity Shares Daily Inverse VIX Short Term ETNs.

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- Credit Suisse and certain of its officers in defeating the three lawsuits comprising a purported consolidated class action, which alleged that Credit Suisse violated the federal securities laws by failing to disclose adequately the risks associated with its offering of Velocity Shares Daily Inverse VIX Short Term ETNs.
 - Patriot National Inc. in reaching a preliminary settlement in a shareholder suit in which they were accused of failing to consider a \$475,000,000 takeover offer from insurance software maker Ebix Inc.
 - DB Structured Products, Inc. (a subsidiary of Deutsche Bank) in litigation arising from the collapse of the Bayou Funds, a group of hedge funds founded by Samuel Israel III in 1996.
 - The McGraw-Hill Companies in *In Re Lehman Brothers Mortgage-Backed Securities Litigation*, a purported securities class action brought by purchasers of certain mortgage pass-through certificates against McGraw-Hill in connection with ratings issued by its Standard & Poor's (S&P) unit.
 - The McGraw-Hill Companies and its Standard & Poor's ("S&P") subsidiary in litigations around the United States arising from S&P's rating of securities backed by subprime mortgages.
 - McGraw Hill Financial, Inc., and its wholly owned subsidiary Standard & Poor's Financial Services LLC ("S&P"), in a securities class action arising from ratings S&P assigned to Fannie Mae's preferred stock in the first half of 2008.
 - McGraw Hill Financial, Inc., and its wholly owned subsidiary Standard & Poor's Financial Services LLC (together, "S&P"), on claims arising from ratings S&P assigned to certain Private Label Mortgage-Backed Securities ("PLMBS") prior to the financial crisis.
 - Deutsche Bank in its successful motion to dismiss all claims brought by the liquidators of Hellas Telecommunications against Deutsche Bank A.G. in a fraudulent conveyance action seeking to recover \$1.2 billion from Deutsche Bank and several other defendants.
 - Deutsche Bank AG, London Branch, in an action brought in the United States District Court for the Southern District of New York by Cortlandt Street Recovery Corp. and SPQR Capital (Cayman) Ltd. seeking in excess of €80,000,000 of damages allegedly precipitated by the insolvency of Hellas Telecommunications II, SCA, part of a large Greek telecom concern.
 - Deutsche Bank AG in an action brought in the Southern District of New York Bankruptcy Court by the United Kingdom-based liquidators of Hellas Telecommunications II, SCA, once the third largest cellular service provider in Greece.
 - Executives, directors, and shareholders of Manning Broadcasting, Inc. in Maryland state court, defeating a motion for an injunction brought by a shareholder to force the Board of Directors to authorize a distribution.

Education

Fordham University School of Law, J.D., 2007, *Dean's List*

John Jay College of Criminal Justice, M.S., 2003

Long Island University at C.W. Post, B.A., 2001, *Magna Cum Laude*

Practices

Bankruptcy Litigation

Commercial Litigation

First Amendment & Media Litigation

Securities Litigation & White Collar Defense

Antitrust Litigation

Admissions

New York

U.S. District Court, E.D. New York

U.S. District Court, S.D. New York

U.S. Court of Appeals, First Circuit

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Eleventh Circuit

United States Supreme Court