Trials Practice

Skadden

When the stakes are highest, clients turn to Skadden. Our trial lawyers are trusted with the most consequential disputes — including billion-dollar trials, precedent-setting enforcement and regulatory battles, complex arbitrations worldwide and high-profile criminal jury trials. That trust is reinforced by the depth of our trial bench across the firm, with experienced advocates who have tried cases across industries, before courts and tribunals around the world, and across the full spectrum of claims and actions.

Why Clients Choose Skadden

Deep Bench, Broad Trial Experience

Skadden offers clients a deep and versatile trial bench, with lawyers who bring significant first-chair and second-chair experience in high-stakes matters. Our teams have tried cases across industries, including financial services, life sciences, energy, technology and industrials, and in virtually every major forum, from state and federal courts to arbitral tribunals, administrative proceedings and criminal courtrooms. That breadth of experience allows us to handle nearly any dispute, regardless of industry, forum or claim.

Extraordinary Advocacy, Relentless Efficiency

Over the past two decades, Skadden has secured more than $1 billion in awards for our clients and successfully defended claims totaling over $140 billion. Our trial lawyers have a strong track record of success. They are known for their dedication, thorough preparation and strategic approach — drawing on deep experience and strongly focused teams. We staff matters efficiently, striving as a cohesive unit to deliver the advocacy, judgment and outcomes our clients demand — whether in Delaware Chancery, in New York federal court, before a criminal jury or at an international arbitral tribunal.

Masters of Trial Mechanics and Storytelling

Skadden's trial lawyers are recognized leaders in courtroom advocacy and persuasive narrative. Our reputation for integrity and credibility earns the trust of judges and arbitrators worldwide. We excel at simplifying complex legal and technical concepts for judges and juries, and our meticulous preparation aims to minimize surprises in the courtroom. Our approach to questioning witnesses is strategic and designed to strengthen our arguments and win cases.

Seasoned In-House Support and Resources

For more than 20 years, Skadden's in-house Trial Consulting Department has delivered trial support at the highest level. Our consultants utilize cutting-edge persuasion tools and techniques in hearings, regulatory appearances, mediations and trials. We employ evidence-driven strategies, multidisciplinary collaboration and compelling demonstrative graphics to connect with diverse audiences and enhance our advocacy.

> The analytical persuasiveness of their arguments outshines that of their opponents.
>
> — Respondent quote, *Chambers Global*

Global Reach, Local Strength

With strong trial teams in key markets, Skadden offers both global reach and local insight. Our lawyers are adept advocates before U.S. juries as well as domestic and international arbitral tribunals and regulatory agencies. We are among the few firms with three King's Counsel on our platform. Our international litigation and arbitration team is equipped to handle any commercial or investor-state dispute, under any law, in many languages, before all major arbitral institutions and in jurisdictions worldwide.

Coordinated Cross-Disciplinary Teams

We believe the best results come from seamless collaboration. Our trial teams work closely with attorneys across practices — including antitrust/competition, securities litigation, tax, energy, white collar defense and investigations and more — to deliver comprehensive, strategic representation. This integrated approach enables us to handle cases that cross traditional boundaries, including regulatory challenges, multijurisdictional disputes and novel legal issues.

Integrated Trial and Appellate Approach

Our appellate lawyers partner with trial teams from the outset, preserving issues and shaping strategy to win at trial and on appeal.

Selected Representations

Our litigators have extensive experience representing clients — from *Fortune* 100 companies to emerging industry leaders — in trials, appeals and other dispute resolution proceedings before federal and state courts, administrative tribunals, arbitrations and government agencies across a wide range of industries. Representations include:

- **Activision Blizzard Inc.** in securing a successful result in the FTC's challenge to Microsoft's $69 billion acquisition of Activision and in the related investigation by the FTC. The FTC sought a preliminary injunction in the U.S. District Court for the Northern District of California, which the court denied following a five-day trial. The U.S. Court of Appeals for the Ninth Circuit affirmed the trial court's decision and found that the FTC failed to show it was likely to succeed on the merits.
- **Airlines for America** in securing a permanent injunction against the Massachusetts Attorney General and the application of a Massachusetts paid leave law to airline in-flight and ground crew on federal preemption grounds after a two-week bench trial in the U.S. District Court for the District of Massachusetts.
- **Amgen Inc.** in connection with a significant transfer pricing case in the U.S. Tax Court concerning the licensing of complex biopharmaceutical products from the U.S. to Amgen's Puerto Rican subsidiary. The case involves $8.7 billion of tax plus interest and $2 billion of penalties. This is the first transfer pricing case involving biopharmaceutical manufacturing and it represents the leading edge of IRS transfer pricing enforcement.
- **Careismatic Brands, Inc.** (f/k/a Strategic Partners, Inc.) retained Skadden on the eve of a three-week jury trial in Texas to defend against claims that Careismatic defrauded Ball Up and breached fiduciary duties allegedly owed to Ball Up. Ball Up sought damages in excess of $900 million for lost profits allegedly caused by Careismatic's failure to launch Ball Up's apparel and footwear line. Careismatic filed a suggestion of bankruptcy, staying the case.
- **CF Industries Inc.** in successfully resolving litigation filed in the U.S. District Court for the Western District of Texas brought against CF and other companies by the city of West, Texas, individual residents of the county and other parties seeking recovery for damages allegedly sustained as a result of a fire and explosion at the West Fertilizer Co. fertilizer storage and distribution facility.
- **Cineworld Group plc** in securing a favorable post-trial verdict in an appraisal action brought in the Delaware Court of Chancery by stockholders of Regal Entertainment Group, arising out of Cineworld's takeover of Regal.
- **CME Group, Inc.** and **The Board of Trade of the City of Chicago Inc.** in securing a unanimous defense verdict in a multibillion-dollar class action jury trial in Cook County, Illinois. The lawsuit stemmed from the fundamental transformation of futures trading from traditional open outcry pit trading to electronic trading platforms, which occurred over approximately two decades beginning in the early 2000s. The plaintiffs were approximately 4,000 former floor traders who claimed that CME and the Chicago Board of Trade had inappropriately cut them out of the profits from the shift toward electronic trading. The traders sued for over $2 billion in damages soon after CME opened a data center for electronic trading in the Chicago suburb of Aurora, Illinois, that they contended acted as the exchange's new trading floor. After more than 10 years of litigation and a three-week jury trial, the jury deliberated for approximately four hours before returning a complete verdict for the defense.
- **The Coca-Cola Company** in securing a complete victory in an AAA arbitration dispute with Monster Energy concerning whether the launch of Coca-Cola Energy violates certain distribution agreements between the parties.
- **CC/Devas (Mauritius) Ltd.**, **Telcom Devas Mauritius Devas** and **another claimant** in obtaining an award of over $165 million as compensation for the expropriation of their investments in a satellite

project, a seizure that was unanimously held to violate the Mauritius-India BIT. The project involved the provision of satellite and terrestrial audiovisual, broadband and mobile services in India.

- **Embraer S.A.** and **its related entities** in a high-profile, multibillion-dollar dispute in which the company is party to three international arbitration proceedings against The Boeing Company and its related entities arising out of the failed acquisition by Boeing of Embraer's commercial and military businesses.
- **Eaton Corporation**, as lead counsel, in securing a unanimous U.S. Court of Appeals for the Sixth Circuit affirmance of a U.S. Tax Court victory at trial involving the first case of an IRS attempt to cancel a binding Advance Pricing Agreement. This landmark decision established that the IRS must honor its agreements with taxpayers, especially where the purpose of those agreements is to provide much-needed certainty in complex areas of the law.
- **FedEx Corporation** in connection with a federal grand jury indictment and subsequent bench trial involving claims of money laundering and fraud by alleging that the company delivered prescription drugs for illegal online pharmacies.
- **Fidelity Investments** (as co-counsel) in securing a complete victory following a six-day trial in the U.S. Tax Court for an IRS dispute involving a partnership that owned and operated a facility that produced and sold refined coal eligible for federal production tax credits. This was the first IRS challenge to an energy-related tax equity partnership transaction in many years and an important trial victory for taxpayers. The U.S. Court of Appeals for the D.C. Circuit affirmed our trial win.
- **Freedom Forever LLC** (Freedom), **Freedom Solar Pros LLC** (Solar Pros) and **executives Bret Bouchy** and **Chad Towner** in the successful defeat of an expedited application for preliminary injunction filed by Sunder Energy in the Delaware Court of Chancery, alleging the tortious interference of existing covenants by Freedom and Solar.
- **Fujian Jinhua** in obtaining the acquittal of all charges in a high-profile, eight-week criminal trade secrets trial and obtaining summary judgment in a companion civil case for injunctive relief brought by the U.S. Attorney's Office for the Northern District of California and the DOJ's National Security Division.
- **JAB Holdings B.V.** in securing the victory following a six-day bench trial of a consolidated appraisal action in the Delaware Court of Chancery arising from its $7.5 billion acquisition of Panera Bread Company.
- **Monsanto** in securing the settlement, following a nine-week jury trial, of a products liability case in King County Superior Court in Washington state.
- **NextEra Energy, Inc.** and **9REN Holding S.À.R.L.** in the successful prosecution of claims under the Energy Charter Treaty arising out of changes to Spanish law in the renewable energy sector, in which an ICSID tribunal awarded €292 million in favor of Skadden's clients, amounting to the largest damages award rendered against Spain in the renewables sector. Skadden also secured summary judgment in the U.S. District Court for the District of Columbia enforcing the arbitral award against Spain including pre- and post-judgment interest as well as litigation and arbitration costs.
- **Sabre Corporation** in the defense of claims brought by American Airlines in Texas State Court alleging Sabre's preferential treatment of another airline breached Sabre's contract with American.
- **SanDisk Corp.** in successfully obtaining a jury verdict award of $28 million in damages plus interest for PNY Technologies' breach of its licensing agreement for SanDisk intellectual property.
- **Sprint Corporation** in successfully defending antitrust claims following a two-week bench trial in the U.S. District Court for the Southern District of New York by the attorneys general of 14 states and the District of Columbia to block Sprint and T-Mobile's proposed $59 billion merger and in securing the related DOJ and FTC transaction approval.
- **Tempus Labs, Inc.** and **Kenneth Carson** in securing a bench trial victory in the U.S. District Court for the Southern District of New York in connection with allegations that Mr. Carson's employment with Tempus Labs violates the terms of a noncompete provision in his prior employment agreement with Flatiron Health Inc.
- **UBS Real Estate Securities Inc.** in securing a favorable settlement following a three-week federal bench trial involving an alleged $2 billion residential mortgage-backed securities (RMBS) breach-of-contract claim. The trial — which was the first-ever repurchase action brought by an RMBS trustee to go to trial — left the plaintiff with no clear path to victory. Prior to trial, Skadden had secured a first-of-its-kind summary judgment victory in which the court rejected the plaintiff's "pervasive breach" theory, forcing the plaintiff to try its case loan-by-loan and prove each of the tens of thousands of breaches alleged.
- **The University of North Carolina, Chapel Hill** in securing the affirmance by the North Carolina Court of Appeals of the lower court's dismissal with prejudice of a class action filed by former student-athletes claiming that the University breached its contract with student-athletes because student-athletes were allegedly denied a high-quality education and directed to low quality courses while attending UNC.

Trials Practice

Continued

Recent Accolades

Fearsome Foursome: Consistently recognized among the top four firms that clients "don't want to litigate against." Also named for 2026: **Litigation Powerhouse**: Class Action Litigation, Complex Commercial Litigation, and Securities and Finance (top 1% of all firms); **Litigation Leader**: IP Litigation (top 6%); and **Distinguished in Litigation**: Product Liability (top 8%)
– The BTI Consulting Group

Repeatedly Recognized: Securities Group and International Arbitration Group of the Year
– *Law360*

Law Firm of the Year: Commercial and Securities Litigation, 2023
Top Tier: Numerous litigation categories, 2026
– *Best Lawyers* Best Law Firms

Band 1: Securities: Litigation (Nationwide) and Litigation: General Commercial: The Elite (New York)
– *Chambers USA 2026*

Litigation Department of the Year: Winner: Real Estate, 2025, and General, 2021; Finalist: General, 2026, 2024, 2023 and 2022, Class Action, 2026 and 2024, and Finance, 2026 and 2024
– *New York Law Journal*

Band 1: Arbitration and White-Collar Crime (Worldwide) and M&A Litigation: Defense, Securities Litigation: Defense and US Taxes: Contentious (United States)
– *The Legal 500 US 2026*

Top Tier: Bankruptcy, Commercial, Competition/Antitrust, International Arbitration, Product Liability and Recall, Securities and White Collar
– *Benchmark Litigation 2027*

Leaders of Influence: Litigators and Trial Attorneys
– *Los Angeles Business Journal* 2025

International Arbitration Team of the Year
– *Legal Business* Awards 2024

Client Service 30: One of only four firms named 11 years in a row
– The BTI Consulting Group 2025

Appellate Hot List
– *The National Law Journal* 2023

Tier 1: International Arbitration
– *Best Lawyers* Best Law Firms, *Benchmark Litigation*, *Chambers UK*, *Chambers Brazil*, *The Legal 500 UK*

Litigation Department of the Year: Finalist
– *The American Lawyer* 2021