

Lauren E. Aguiar

Skadden

Partner, New York

Complex Litigation and Trials



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Education

J.D., New York University School of Law, 1995 (Managing Editor, *Annual Survey of American Law*)

B.A., Connecticut College, 1990
(*magna cum laude*; Phi Beta Kappa)

Bar Admissions

New York

U.S. Courts of Appeals for the Second and Federal Circuits

U.S. District Courts for the Southern and Eastern Districts of New York

U.S. Court of Federal Claims

Experience

Law Clerk, Hon. Jorge A. Solis, U.S. District Judge, Northern District of Texas (1995-1996)

Lauren E. Aguiar represents U.S. and international clients in litigation and arbitration involving a wide range of civil matters. Her experience includes federal and state court disputes, with a focus on complex, high-profile cases and trial practice.

Over the course of her nearly three decade career, Ms. Aguiar has handled many of the most significant civil litigation matters. Clients turn to her for her exceptional knowledge base on an array of litigation-related issues and she provides high-level counsel to clients in all types of venues and jurisdictions. She has worked on matters in a variety of industries, including consumer goods, luxury retail, energy, pharmaceutical, media and entertainment, food and beverage, technology and aviation.

Ms. Aguiar has received numerous industry awards during her career and has earned recognition as a standout in her field. For many years, she has been selected for inclusion in *Chambers USA: America's Leading Lawyers for Business* in Litigation: General Commercial (NY), where she is praised by clients as “on her game at all times,” “decisive, thorough and always prepared,” and someone who handles “cross-border matters and conflicting demands with ease.” She also was previously shortlisted by *Chambers* for its Pro Bono Lawyer of the Year award.

Ms. Aguiar is recognized as a *Legal 500* Leading Lawyer for General Commercial Disputes and was named to Lawdragon's inaugural list of 500 Leading Litigators in America in 2022. She also is a fellow in the Litigation Counsel of America (an invitation-only trial lawyers honorary society) and has been named repeatedly in *The Best Lawyers in America* and *Benchmark Litigation*. Ms. Aguiar also is cited by the Latin America Corporate Counsel Association (LACCA) as a leading litigation practitioner. Additionally, she was named as one of *Crain's New York Business*' 2021 Notable Women in Law, which profiles trailblazing female attorneys.

Ms. Aguiar has represented both plaintiffs and defendants in cases involving breach of contract, mergers and acquisitions, employment, fraud, fiduciary, trusts and estates, copyrights, false advertising, trade secret and class action litigation. She also regularly litigates and advises on private wealth law issues and significant trust and estate matters on behalf of individual and institutional trustees, executors, banks, beneficiaries, family offices and high-net-worth clients. Some of her representative matters include:

- litigation counsel for LVMH SE in expedited litigation arising from its \$15.8 billion acquisition of Tiffany & Co. in Delaware Chancery Court;
- counsel to the court-appointed receiver tasked with selling the nearly \$1 billion Macklowe Art Collection;
- counsel to Endo Pharmaceuticals in nationwide litigation regarding opioids;
- trial counsel for Noble Corporation in a \$1.7 billion suit alleging fraudulent transfer, breach of fiduciary duty, and aiding and abetting in the U.S. Bankruptcy Court for the District of Delaware;
- litigation counsel to a high-profile hedge fund manager in a dispute with the firm he founded, resulting in a week-long trial before an arbitral panel;
- trial counsel for NextEra Energy in a federal breach of contract case against the Nuclear Energy Institute in the U.S. District Court for the Southern District of Florida;
- litigation counsel for APTIM Corp. in a series of cases asserting theft of confidential information, breach of contract and tortious interference in multiple venues, including state courts, federal district courts, a federal appellate court, the U.S. Supreme Court and AAA arbitration;

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- counsel for *The New York Review of Books* regarding several key employment-related matters;
- trial counsel for International Flavors & Fragrances, Inc. in a federal case involving allegations of misappropriation of trade secrets, unfair competition and breach of contract in the U.S. District Court for the District of New Jersey;
- litigation counsel for Fresh Del Monte Produce, Inc. in various lawsuits and arbitrations to protect its global trademarks, licensing rights and supply contracts, including (i) a successful jury trial in the U.S. District Court for the Southern District of New York against Del Monte Corporation involving false advertising and breach-of-contract claims; and (ii) a successful ICDR arbitration securing Fresh Del Monte's rights to trademarks for new range of international businesses;
- trial counsel for pharmaceutical company Impax Laboratories, Inc. in the U.S. District Court for the Southern District of New York;
- member of the trial team for Toyota Motors in federal and state class action litigation in California regarding widely publicized vehicle recalls;
- MGA Entertainment in the *Mattel v. MGA* three-month jury trial in the U.S. District Court for the Central District of California, a \$1.8 billion case involving copyright infringement and various state law tort claims;
- counsel to the estate of Syms in a long-running will contest, trust litigation and related disputes; and
- trial counsel to an aviation security company in an action against the federal government asserting a takings claim under the Fifth Amendment to the U.S. Constitution, culminating in a bench trial in the U.S. Court of Federal Claims.

Ms. Aguiar is the president/chair of the Skadden Foundation, which runs the Skadden Fellowship Program.

Speaking Engagements

Commercial Litigation Academy, Trial Panel, New York State Bar Association, November 2022 (upcoming); October 2019

Chair, Current Developments in Federal Civil Practice, Practising Law Institute, Annually 2014-present

Pretrial Practice, Practising Law Institute, Annually 2016-present

Corporate Counsel, Annual General Counsel Conference, September 2018

Associations

Board of Directors, Access to Justice Lab, Harvard Law School (2017-present)

Board of Directors and Executive Committee, Covenant House International (2012-present)

Board of Directors and Executive Committee, New York Lawyers for the Public Interest (2007-present)

Board of Legal Advisors, Legal Momentum (2007-11)

Institutional Review Board, The Population Council (2007-10)

Fellow, Coro Foundation, Leadership New York (2004)

Selected Publications

"Recent ESG Litigation and Regulatory Developments," *Harvard Law School Forum on Corporate Governance*, July 25, 2022

"ESG in Focus: An Overview of Recent Litigation and Regulatory Developments," *Skadden's 2022 Insights - June 2022*, June 28, 2022

"The Pandemic Brought Some Welcome Innovations to the Justice Process, but Also Many New Challenges," *Skadden's 2022 Insights*, January 19, 2022

"Litigating International Disputes in U.S. Courts" Chapter, *Successful Partnering Between Inside and Outside Counsel*, with John Blood, AB-InBev, 2020-22

"Commercial Defamation and Disparagement" Chapter, *Business and Commercial Litigation in Federal Courts*, with David Schwartz, 2021-22

"Pro Bono Practice" Chapter, *Commercial Litigation in New York State Courts*, with David Zornow, 2015-22

"Caselaw Developments in Federal Civil Practice," *PLI Annual Coursebook*, 2013-22

"Diversity in the Corporate Boardroom: A Current Scorecard," *The D&O Diary*, July 19, 2021

"Skadden Offers a Scorecard on Diversity in the Corporate Boardroom," *The CLS Blue Sky Blog*, July 14, 2021

"Designed To Lead: In-House Leaders at Luxury Conglomerate LVMH on the Recent Tiffany Merger and the Importance of a Strong Company Culture," *Corporate Counsel*, April 21, 2021

"Food and Beverage Labeling Litigation: Recent Trends," *New York Law Journal*, April 5, 2021

"The Current State of Nationwide Injunctions," *Bloomberg Law*, March 15, 2021