

Partner, New York

Complex Litigation and Trials



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Education

J.D., University of Iowa
College of Law, 2008

B.A., Yale University, 2004

Bar Admissions

New York

Associations

Board Member, National Center for
Law and Economic Justice

Julie Cohen is an experienced trial lawyer and represents U.S. and international clients in a wide variety of complex disputes in state and federal courts and in arbitrations. Ms. Cohen has extensive experience representing a wide range of clients in complex commercial cases, including breach of contract, fraud, civil conspiracy, restructuring litigation, consumer class actions, corporate disputes, noncompete- and employment-related claims and securities litigation.

Some of Ms. Cohen's matters include acting as trial counsel or representing:

- Air Products & Chemicals, Inc. in an expedited proceeding in New York Supreme Court, Commercial Division, in a contract dispute relating to a licensing rights arising out of the sale of a business
- Morgan Stanley & Co. LLC and Goldman Sachs & Co. LLC in New York Supreme Court, Commercial Division, in a lawsuit involving claims under the Securities Act of 1933
- A. Schulman, Inc. and certain of its subsidiaries in two lawsuits (including one suit that went to trial in Delaware Chancery Court) asserting breach of contract, fraud and breach of fiduciary duty claims against former owners of Citadel Plastic Holdings, Inc. and Lucent Polymers, Inc.
- a SPAC sponsor and its officers and directors in the Southern District of New York in a claim alleging breach of contract and breach of fiduciary duties arising out of a termination agreement, with related Cayman Islands litigation
- Tempus, Inc. in a trial victory in the Southern District of New York relating to an alleged breach of a noncompete provision in an employment contract
- Morgan Stanley & Co LLC in an adversary proceeding in the U.S. District Court for the District of Puerto Rico arising out of the restructuring of the Puerto Rico commonwealth under the Puerto Rico Oversight, Management, and Economic Stability Act. The proceeding involved an alleged fraudulent transfer and related state law claims
- NextEra Energy, Inc. in its bankruptcy court trial victory against the Adelphia Communications Recovery Trust, which had sued to recover approximately \$300 million for an allegedly fraudulent transfer from Adelphia to two NextEra subsidiaries
- one of the world's largest asset managers in successfully securing dismissal on all counts of \$1.5 billion-plus excessive fee claims under Section 36(b) of the Investment Company Act after an eight-day bench trial in the U.S. District Court for the District of New Jersey. The case was one of the largest ever involving claims against mutual funds
- Crown Castle NG East LLC in arguing and securing a victory before the New York Appellate Division, Second Department, obtaining reversal of a New York Supreme Court decision on an issue of standing in a hybrid Article 78 proceeding relating to municipal zoning

Julie E. Cohen

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- Anglo Irish Bank as part of the trial team that obtained a complete victory in its arbitration against Peninsula Real Estate Fund I GP, stemming from a real estate development partnership the bank funded. Following weeks of factual and expert testimony from more than two dozen witnesses, extensive post-hearing briefing and a day of closing arguments, the tribunal awarded the bank with the removal of the general partner and denied the general partner's claims for more than \$75 million in damages
 - a trust in a complex partnership dispute spanning multiple jurisdictions with claims of an alleged oral partnership agreement, breach of fiduciary duty, civil conspiracy and fraud
 - Celonis, Inc. in connection with an expedited employment dispute in New York Supreme Court, Commercial Division
 - Fresh Del Monte Fresh Produce, Inc. in securing a victory in a jury trial against Del Monte Foods Co., securing Fresh Del Monte's exclusive right under the parties' contract to use the Del Monte trademark on certain refrigerated preserved fruit, returning a verdict in favor of Fresh Del Monte on five out of six Lanham Act false advertising claims

Ms. Cohen is a longtime member of the Skadden's Hiring and Summer Associate committees and oversees training for the firm's Complex Litigation and Trials Group Summer Associate Litigation Training Program.

Selected Publications

"Investigation of the Case," Chapter 33 of *Successful Partnering Between Inside and Outside Counsel*, with Andean Horton, Executive VP, CLO and Secretary of MasterBrand, Inc., 2020-present

"Supreme Court Validates PR Financial Oversight Board, but Challenges Remain," *Skadden Publication*, August 3, 2020

"Litigating Expert Testimony at the Class Certification Stage," *Practical Law*, October/November 2019

"Expert Witness Challenges under Daubert in Class-Action-Certification Proceedings," *American Bar Association*, December 19, 2018

"Supreme Court Clarifies Scope of Bankruptcy Court Authority, Allows Court Adjudication of 'Stern Claims' if Parties Consent," *Skadden Publication*, May 27, 2015