

Christopher P. Malloy

Skadden

Partner, New York

Complex Litigation and Trials



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Education

J.D., St. John's University School of Law, 1993 (Editor in Chief, *St. John's Law Review*)

B.S., Electrical Engineering, State University of New York at Buffalo, 1987

Bar Admissions

New York

Experience

Law Clerk, Hon. Roger J. Miner, U.S. Court of Appeals for the Second Circuit (1993-1994)

Publications

"New York Appellate Court Sets New Standard for Approving Nonmonetary and 'Disclosure-Only' Settlements," *Skadden, Arps, Slate, Meagher & Flom LLP*, February 21, 2017

"Securities Litigation: Recent and Upcoming Supreme Court, Appellate and District Court Developments," *Skadden's 2013 Insights*, January 2013

"Developments in Commercial Real Estate Litigation," *Practicing Law Institute*, March 29, 2011

Chris Malloy represents public and private companies, financial institutions and individuals in litigation in state and federal courts, including complex commercial disputes, securities class actions and shareholder derivative suits. Mr. Malloy also has represented clients, both as plaintiffs and as defendants, in corporate control disputes; commercial real estate litigation, including foreclosures and lender liability disputes; and disputes involving allegations of tortious interference with business relations, breach of contract and breach of fiduciary duty.

Examples of Mr. Malloy's representations include:

- Embraer S.A. in the defense of a securities fraud class action in the U.S. District Court for the Southern District of New York arising in the wake of the company's settlement with the U.S. Department of Justice and U.S. Securities and Exchange Commission of claims under the Foreign Corrupt Practices Act;
- Bank of America in the defense of a securities fraud class action in the U.S. District Court for the Southern District of New York relating to claims that it failed to disclose its exposure to losses relating to its mortgage lending and servicing businesses;
- Merrill Lynch in the defense of a securities class action in the U.S. District Court for the Southern District of New York alleging that the prospectuses for 85 offerings of mortgage-backed securities contained untrue statements about the credit quality of the underlying subprime and alt-a mortgage loans;
- several financial institutions, including Bank of America, Merrill Lynch, UBS and RBS, in cases brought by institutional investors in state and federal courts, and in arbitrations in the wake of the credit crisis, claiming that the offering materials for mortgage-backed securities contained untrue statements or omissions regarding the credit quality of the mortgage loans underlying the securities and the loan origination practices associated with those loans;
- Barclays Bank in an interpleader action relating to defaults under an indenture for a collateralized debt obligation backed by commercial real estate assets;
- Green Bancorp in the defense of a shareholder class action in the Maryland Circuit Court alleging it aided and abetted breaches of fiduciary duties in connection with a merger with SP Bancorp;
- Quanta Services in an action brought by Dycom Industries relating to claimed violation of a noncompete agreement in the telecommunications infrastructure business;
- directors of Toll Brothers, Inc. in the defense of a shareholder derivative action in the Delaware Court of Chancery seeking disgorgement of profits from the sale of stock;
- HDS Investment Holding, Inc. in the settlement in the Delaware Court of Chancery of a post-closing purchase price adjustment matter in connection with Home Depot's \$8.5 billion sale of HD Supply to a buyout consortium including Bain Capital LLC and The Carlyle Group;
- SL Green in litigation relating to mortgage financing on a New York City office building under construction; and
- Deutsche Bank in litigation relating to foreclosure of a \$500 million mortgage loan on the site of the former Drake Hotel in New York City.