

# 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 has extensive experience representing public and private companies, financial institutions and individuals in complex commercial disputes, securities class actions and shareholder derivative suits, as well as corporate control disputes and commercial real estate litigation.

Recently, Mr. Malloy has been representing and advising clients in connection with commercial and construction contracts, financing agreements and real estate leases that have been impacted by delays, financial market conditions and other events in the wake of the COVID-19 pandemic and related government orders. In recognition of his work, he has been named in *Best Lawyers in America* in the Commercial Litigation category.

Examples of Mr. Malloy's representations include:

- Dentsply Sirona Inc., a multinational dental products manufacturer, in obtaining the dismissal, and affirmance on appeal, of a class action in New York State court brought under the Securities Act of 1933, relating to Dentsply's \$14.5 billion merger with Sirona International;
- Neuberger Berman Group in defeating attempts to enjoin the \$12.5 billion combination of its Dyal Capital Partners division and Owl Rock Capital Group to form Blue Owl Capital;
- General Shopping e Outlets do Brasil, a Brazilian shopping center operator, in litigation in the Cayman Islands and New York brought by alleged holders of unsecured notes;
- Embraer S.A., a Brazilian multinational aerospace manufacturer, in obtaining the dismissal 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;
- several financial institutions, including Bank of America Merrill Lynch, UBS and RBS, in lawsuits and arbitrations, and related appeals, brought in the wake of the credit crisis by investors in mortgage-backed securities;
- 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 obtaining the dismissal, and affirmance on appeal, of a shareholder class action in Maryland State court arising from its combination with SP Bancorp;
- Quanta Services in an action brought by Dycom Industries alleging breach of a noncompete agreement in the telecommunications infrastructure business;
- Directors of Toll Brothers, Inc. in the defense of a shareholder derivative action seeking disgorgement of alleged insider trading profits;
- HDS Investment Holding, Inc. in a post-closing purchase price adjustment dispute arising from Home Depot's \$8.5 billion sale of HD Supply to a buyout consortium that included Bain Capital LLC and The Carlyle Group; and
- Directors of Dana Corporation in obtaining dismissal, and affirmance on appeal, of derivative and class action claims for breach of fiduciary duty relating to events leading up to the company's filing for bankruptcy protection.