

Partner, New York

Securities Litigation; Complex Litigation and Trials



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Education

J.D., New York University, School of Law, 1994 (Order of the Coif)

B.A., Tufts University, 1991

Bar Admissions

New York

Experience

Law Clerk, Hon. Jacob Mishler,
U.S. District Court for the Eastern
District of New York (1994-1995)

Associations

Chair, Securities Litigation Committee,
Federal Bar Council

Board of Directors, New York
Legal Assistance Group

Selected Publications

Editor, *Insights Annual Review*

Author, "The Commercial Division
Roundup," *New York Law Journal*

Scott Musoff serves as the practice leader for Skadden's New York Complex Litigation and Trials Group and is co-deputy head of the firm's nationwide Securities Litigation Group. He represents public and private companies, financial institutions and individuals in federal and state trial and appellate courts, as well as in arbitration proceedings.

Mr. Musoff was recently named as a 2020 Securities MVP by *Law360*, which also previously profiled him as one of its 10 Most Admired Securities Attorneys. He repeatedly has been selected for inclusion in *Chambers USA*, *Legal 500 U.S.*, *The Best Lawyers in America* and *Lawdragon 500 Leading Lawyers in America*. He also has previously been named *Best Lawyers'* New York City Litigation - Mergers & Acquisitions Lawyer of the Year. Mr. Musoff is a member of the Skadden team selected as a finalist for *The American Lawyer's* 2018 Litigation Department of the Year, and two of his Boston-based colleagues were named Litigators of the Week by *The Am Law Litigation Daily* for their trial victory on behalf of certain subsidiaries of BlackRock, Inc., following an eight-day bench trial. He also was named Litigator of the Week for his role in the dismissal of a Section 10(b) shareholder class action against Société Générale.

Mr. Musoff has extensive experience in securities and other complex commercial litigation. He represents clients in a wide variety of industries in securities class actions, including Autoliv, Inc.; Blackberry Ltd.; Hasbro; Iconix Brand Group, Inc.; MOL Global, Inc.; News Corporation; Seadrill Limited; Sprint-Nextel Corporation; Travelzoo Inc.; and Vivint Solar, Inc., among others. He also advises numerous financial institutions as both underwriters and issuers in securities litigation around the country, including for Bank of America; JPMorgan Chase; Morgan Stanley; Société Générale; and UBS. He also regularly advises and represents companies in connection with M&A deal litigation, non-compete litigation, post-closing disputes and breach of representation and warranty matters.

Mr. Musoff regularly argues appeals in federal and state courts, including numerous successful arguments in the New York Court of Appeals and the Second Circuit Court of Appeals. For example, he successfully argued in the New York Court of Appeals and Second Circuit in defeating a turnover application against CIBC by the Commonwealth of the Northern Mariana Islands. In a significant decision for the banking industry, the New York Court of Appeals held that a bank cannot be forced to extract money from offshore indirect subsidiary banks. In addition, Mr. Musoff won summary judgment in favor of Merrill Lynch in what was termed a "landmark" case addressing the interpretation of credit default swap agreements with a monoline insurer. He was also a member of the team that represented Merrill Lynch before the United States Supreme Court in the first case in which the court addressed the provisions of the Securities Litigation Uniform Standards Act of 1998.

Additionally, Mr. Musoff has done a substantial amount of *pro bono* work. Among other successes, he won the largest known federal jury verdict in a housing discrimination case against a New York City cooperative. He also successfully defended against the enforcement of a German judgment in New York brought to recoup costs for repairs to a Berlin property that the client's family was forced to leave behind in escaping the Holocaust. He also serves on the board of the New York Legal Assistance Group.

In 2011, he received the James H. Fogelson Young Leadership Award by the UJA-Federation of New York for his commitment to the Jewish community and service to the organization.