Amy Van Gelder

Skadden

Partner, Chicago

Complex Litigation and Trials; Mass Torts and Product Liability



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Education

J.D., George Washington University, 2003 (with highest honors)

B.S., Northwestern University, 1999

Bar Admissions

Illinois

U.S. Court of Appeals for the Fifth and Eleventh Circuits

U.S. District Court for the Northern District of Illinois and the Western District of Michigan

U.S. Supreme Court

Associations

Board Member, CARPLS

Board of Directors, Urban Gateways

Amy Van Gelder is head of Skadden's Chicago litigation practice. She represents companies, universities and directors and officers in complex commercial litigation, arbitration and trials, including securities, antitrust and consumer fraud class actions; bankruptcy litigation; shareholder derivative suits; and disputes arising out of mergers and acquisitions, commercial contracts, torts and alleged constitutional violations. Ms. Van Gelder's experience includes counseling clients in federal and state courts throughout the country and in all phases of litigation, including trial and appeal.

She also has represented corporations in regulatory investigations, including matters before the Department of Justice (DOJ), the Securities and Exchange Commission (SEC) and multiple state regulators.

In 2023, Ms. Van Gelder was recognized as one of *Crain's Chicago Business*' Notable Litigators and Trial Attorneys. She also repeatedly has been named one of *Lawdragon*'s 500 Leading Global Litigators and one of *Crain*'s Notable Women in Law (including in 2024) and previously was selected as one of its Notable Gen X Leaders in Law. Additionally, Ms. Van Gelder has been recognized in *Best Lawyers in America* in its Commercial Litigation category and in *Lawdragon*'s 500 Leading Litigators in America.

Ms. Van Gelder's experience includes representing:

- the University of North Carolina at Chapel Hill in:
  - an eight-day federal trial regarding the constitutionality of the use of race in undergraduate admissions. Ms. Van Gelder also was part of the team that represented the university during the appeal of the case to U.S. Supreme Court
  - securing dismissals in three class actions filed by former student-athletes claiming that the university breached its contract with student-athletes
- a commercial airline in a contractual dispute
- Columbia University in antitrust class actions concerning financial aid
- Endo Pharmaceuticals in nationwide opioid litigation
- former officers and directors of a for-profit education corporation in numerous arbitrations arising out of the company's closure
- Black Diamond Capital Management, L.L.C. as lender to and potential purchaser of SpeedCast International Ltd. in its Chapter 11 cases in the Bankruptcy Court for the Southern District of Texas. As a result of evidence presented during a multiday confirmation hearing, the court halted the hearing and reopened the auction to provide Black Diamond with an opportunity to bid, ultimately resulting in a favorable settlement for Black Diamond
- a public university in multiple complex mass tort and constitutional rights cases. Ms. Van Gelder led the client's litigation defense, negotiated a joint resolution with more than 300 plaintiffs and negotiated the settlement of more than 100 individual claims
- a Wall Street bank in a series of investigations by the RMBS Working Group, a federal-state task force. The investigations and related litigation involved the DOJ, including four U.S. attorneys, the SEC and six state attorneys general. These matters culminated in a global settlement
- Citigroup and a worldwide syndicate of underwriters in a putative class action brought by the purchasers of Petrobras' 2013 and 2014 U.S. dollar-denominated bond offerings

Ms. Van Gelder's practice also has included several bankruptcy cases and adversary proceedings. She represented Key Safety Systems (KSS) in its acquisition of substantially all of Takata Corporation's assets. Facing mounting liabilities that some analysts projected as exceeding $12 billion, Takata filed for Chapter 11 bankruptcy. Ms. Van Gelder worked with Skadden's restructuring team to successfully negotiate agreements with the DOJ, worldwide government regulatory bodies, and current and potential tort claimants, to secure a channeling injunction to protect KSS from PSAN airbag tort claims, allowing the transaction to proceed. She also has extensive experience managing complex electronic discovery and advising clients on related best practices.

Ms. Van Gelder has handled a variety of *pro bono* matters. She represented an inmate on death row and secured a rare ruling in which the Mississippi Supreme Court granted post-conviction relief, ultimately culminating in the vacation of the client's death sentence. In addition, she has handled various other types of *pro bono* matters, including wrongful convictions, exonerations and other criminal justice matters.

Selected Publications

"Attorney General Issues Memorandum on Unlawful Discrimination for Recipients of Federal Funds," *Skadden Publication*, August 1, 2025

"Court Blocks Certain Key Provisions of DEI Executive Orders, but Employers Should Continue Reviewing Practices and Policies," *Skadden Publication*, February 24, 2025

"Ban on Transgender Women From Female Sports Is Challenged in Court," *Skadden Publication*, February 18, 2025

"DEI: Trump Takes Aim at Diversity Initiatives," *Skadden Publication*, January 30, 2025

"Employers' DEI Initiatives Are Likely To Be Targeted in the Second Trump Administration," *Skadden Insights*, January 14, 2025

"Nasdaq Board Diversity Rules Vacated by the Fifth Circuit," *Skadden Publication*, December 16, 2024

"Supreme Court Lowers the Bar for Title VII Employment Claims," *Skadden Insights*, June 2024

"Employers Offering DEI Training Need To Monitor Both Pro-and Anti-DEI Court Challenges and Legislative Proposals," *Skadden Insights*, March 2024

"The Supreme Court's Affirmative Action Opinion Continues To Spawn Challenges to DEI Programs," *Skadden Insights*, December 13, 2023

"Skadden Discusses Corporate DEI Policies After SCOTUS Affirmative Action Decision," *The CLS Blue Sky Blog*, September 29, 2023

"Corporate DEI Policies Face Scrutiny Following SCOTUS Affirmative Action Decision," *Skadden Insights*, September 2023

"Potential Private Sector Implications of the Supreme Court's Affirmative Action Ruling," *Skadden Publication,* July 6, 2023

"Managing and Resolving Commercial Disputes 2023: Preparing For Disputes and Managing Costs," *Financier Worldwide*, 2023

"Considerations for Boards to Protect Privilege When Overseeing Investigations," *Corporate Disputes*, April-June 2022

"Litigation & Alternate Dispute Resolution (United States)," *Financier Worldwide*, 2021

"COVID Litigation: Predictions vs. Experience," *Illinois State Bar Association's The Corporate Lawyer*, April 2021

"Litigation, Exposure and Insurance During the COVID-19 Pandemic," *Skadden Publication,* June 1, 2020

"Managing Regional and National Litigation" chapter, *Guide for In-House Counsel Practical Resources to Cutting-Edge Issues*, (Leslie A. Berkoff ed., 2019)