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## KEVIN S. SCHWARTZ

Kevin Schwartz is a partner in the Litigation Department of Wachtell, Lipton, Rosen & Katz. He is also Chair of the Judiciary Committee of the New York City Bar Association and a Visiting Lecturer in Law at Yale Law School, where he teaches an advanced Corporate Litigation Seminar.

Mr. Schwartz's practice includes corporate, commercial, and securities litigation at both the trial and appellate levels, as well as a variety of regulatory and corporate governance matters. He has worked on a number of the firm's high-profile matters, including mergers-and-acquisitions litigation in the courts of Delaware and other complex litigation in courts around the country. Mr. Schwartz was on the trial counsel team in the successful litigation effort, on behalf of Vulcan Materials Company, to enjoin an attempted hostile takeover by an industry rival; he worked on the appeal in Delaware Supreme Court that resulted in the expedited reversal of a lower court injunction blocking Activision Blizzard's \$8 billion stock repurchase; and he represents a variety of other household-name corporations in litigation and strategic counsel, from Uber and eBay to The J.M. Smucker Company and XPO Logistics. He helped to lead Chicago Bridge & Iron to victory in Delaware Supreme Court, repelling Westinghouse's more than \$2-billion claim for a post-deal purchase price adjustment, and has represented a number of other companies in high-stakes arbitrations over purchase price adjustment disputes. He also represented several of the nation's leading financial institutions in the resolution of federal regulatory investigations arising out of the financial crisis of 2008.

In addition, Mr. Schwartz has worked on a number of pro bono matters important to New York State. As part of the team led by former White House Counsel Bernard Nussbaum, Mr. Schwartz represented the New York Judiciary in historic constitutional litigation over the State of New York's extended failure to adjust judicial salaries. He represented the Partnership for New York City and the Bar Association of the City of New York as amici curiae before the Court of Appeals and the Supreme Court of the United States, including in the landmark case in which the Supreme Court struck down the Defense of Marriage Act. On a special task force created by the Chief Judge of New York, Mr. Schwartz served as legal advisor to the task force co-chairs Judith Kaye, the former Chief Judge of New York, and Martin Lipton, to reform the Commercial Division of the New York Supreme Court. He was also a Rockefeller Fellow for the Partnership for New York City, and is now a legal advisor to the Partnership Innovation Council, a panel of business leaders committed to ensuring that New York's legal and regulatory environment keeps pace with the technological revolution transforming business and the economy.

As Chair of the 140-year-old Judiciary Committee of the NYC Bar Association, Mr. Schwartz leads a committee of 50 lawyers from in reviewing and interviewing every judicial nominee for all state and federal courts based in NYC, as well as candidates for District Attorney in the five boroughs and nominees for U.S. Attorney for the Southern and Eastern Districts of New York. Mr. Schwartz also serves on the Council on Judicial Administration, which coordinates the work of the City Bar committees addressing issues that concern the state and federal courts. He previously served as secretary of both the Judiciary Committee and the Council on Criminal Justice.

Mr. Schwartz received his B.A. from Harvard College and was awarded the Sophia Freund Prize as the top-ranked *summa cum laude* graduate. He earned his M.B.A. and Ph.D. from Oxford University as a Marshall Scholar, received his J.D. from Yale Law School, and previously served as a Lecturer on the Political Science Department Faculty of Yale University. Mr. Schwartz served as a law clerk to Justice Ruth Bader Ginsburg on the Supreme Court of the United States and to Judge Guido Calabresi on the United States Court of Appeals for the Second Circuit.