



### Michael D. Hynes

Partner

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#### New York

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Michael Hynes engages in all types of business litigation, conducts internal corporate investigations and assists companies with the design, enhancement and implementation of global compliance programs.

Michael has appeared in federal and state courts in a number of jurisdictions and has substantial experience in bankruptcy, mediation, arbitration and appraisal proceedings.

Michael is proud to have served Senator George J. Mitchell in an independent investigation into alleged illegal use of steroids and other performance-enhancing substances in Major League Baseball.

Michael currently serves as the New York Office Co-Hiring Partner.

## EXPERIENCE

### BUSINESS LITIGATION PRACTICE

- Representing one of the world's largest public companies in a multi-billion-dollar securities class action pending in the Southern District of New York
- Representing one of the world's largest REIT's in a multi-billion dollar securities class action pending in New York Supreme Court
- Representing one of the world's largest real estate companies in an interest-rate swap dispute pending in a Southern District of New York bankruptcy proceeding
- Representing a major news organization in a dispute arising from an affiliation agreement pending in Delaware Chancery Court
- Representing a technology company in a dispute arising from a master services agreement pending in the Southern District of Ohio
- Representing a technology company in a dispute arising from a master services agreement pending in New York Supreme Court
- Representing the FDIC in numerous litigation matters pending in the Middle District of Alabama arising out of one of the largest bank failures in United States history and the related bankruptcy filing by the bank's holding company in the same

## RELATED SERVICES

- Global Governance and Compliance
- Litigation, Arbitration and Investigations
- International Trade, Regulatory and Government Affairs
- Corporate and Securities Litigation
- Class Actions

## RELATED SECTORS

- Insurance

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- Representing a transnational insurance and investment company, which owned a building adjacent to the World Trade Center, in litigation commenced in the Southern District of New York by more than 70 individuals purportedly injured while repairing the building following the September 11 terrorist attacks
- Representing a premium financing company in litigation pending in New Jersey state court arising from a multi-million dollar Ponzi scheme
- Advising several investment funds, hedge funds, investment bankers and liquidators in a wide variety of contract disputes and regulatory issues
- Represented one of the largest developers and managers of continuing-care retirement communities in numerous litigation matters arising from multiple bankruptcy proceedings
- Represented one of the world's largest public companies in a multi-billion dollar securities class action pending in the District of New Jersey. This case resulted in a favorable settlement for the firm's client
- Represented a technology company in an arbitration arising out of a dispute over a master services agreement. This case resulted in a favorable settlement for the firm's client in advance of discovery
- Represented a lead corporate sponsor of a prominent professional sports event in New York state court litigation over the alleged breach of a multi-year, multi-million dollar sponsorship agreement. This case resulted in a favorable settlement for the firm's client in advance of discovery
- Represented the chief operating officer of a major pharmaceuticals company in connection with insider trading allegations alleged in a multi-million dollar securities class action filed in the District of New Jersey and in multiple regulatory investigations. This case resulted in a favorable settlement for the firm's client in advance of discovery
- Represented one of the largest lenders in the US in a lawsuit filed in the Northern District of Illinois in connection with the misappropriation of funds by one of the company's former business partners. This case resulted in a favorable settlement for the firm's client in advance of discovery
- Represented a biofuel manufacturer in New Jersey state and federal courts in connection with the theft of valuable machinery. The matter was settled favorably after the firm's client won a temporary restraining order against the adversary
- Represented a corporate successor in litigation in New Jersey state court following a cross-border transaction. Summary judgment was awarded in favor of the firm's client and no appeal was filed
- Represented one of the largest lenders in the US as well as several individual defendants in a multi-million dollar lender liability case brought in the Eastern District of New York, which included claims ranging from breach of contract to fraud to civil RICO violations. The case was resolved in favor of the firm's client on a motion to dismiss
- Represented one of the largest lenders in the US as well as several individual defendants in a multi-million dollar lender liability case brought in New York state court. The case was resolved in favor of the firm's client on a motion to dismiss
- Represented one of the largest companies in the US in a lawsuit filed in New York state court arising out of a failed merger. The matter was settled favorably for the firm's client through mediation
- Represented one of the largest companies in the US and several venture capitalist firms as well as several individual defendants in a New York state court case arising out of a failed startup company. Through mediation, the case was settled favorably for the firm's clients
- Represented one of the world's largest companies in negotiations with its departing chief executive officer
- Represented a large telecommunications company in connection with several claims brought in New York state and federal courts pursuant to the Telecommunications Act. All claims against the firm's client were voluntarily dismissed with prejudice after a motion to dismiss was filed
- Represented a large information technology company in a New Jersey state court case filed by the company's former CFO in connection with an indemnification agreement. Through mediation, the case was settled favorably for the firm's client
- Represented several interested parties in numerous bankruptcy proceedings, including several evidentiary hearings and confirmation trials, filed in the Northern District of Texas
- Represented, on a pro bono basis, a museum in litigation filed in New Jersey state court by a former employee. Through mediation, the case was resolved favorably for the firm's client

## INTERNAL INVESTIGATIONS AND COMPLIANCE PRACTICE

- Representing several global companies in connection with efforts to design, enhance and implement global compliance programs with a particular focus on risk assessment, OFAC, FCPA, Third-party Due Diligence, Anti-Money Laundering, Securities, Insider Trading, Social Compliance, Government Contracts, Investigations and Crisis Management Protocols, and Whistleblower Hotlines
- Advising a multi-billion dollar group of investment funds on a wide variety of compliance, employment corporate governance and litigation matters
- Representing one of the world's largest insurance companies in conducting several investigations relating to OFAC and FCPA concerns
- Represented Senator George J. Mitchell in conducting an independent investigation concerning the alleged illegal use of performance-enhancing substances in Major League Baseball. The resulting report was made public
- Represented one of the world's largest companies in connection with its effort to design, finalize and implement a global compliance program to appease an on-site federal monitor
- Represented a technology company in conducting an investigation into employment and insider trading allegations
- Represented one of the world's largest insurance companies in investigating the actions of a former senior executive
- Represented one of the world's largest insurance companies in investigating allegations asserted by a purported whistleblower
- Represented one of the world's largest public companies in uncovering and investigating a multi-million dollar Ponzi scheme and represented that company as a plaintiff in subsequent civil litigation filed in the Northern District of Texas
- Represented one of the world's largest companies in investigating an individual impersonating an executive of its investment arm
- Represented the Independent Audit Committee of a major telecommunications company in connection with an internal investigation of suspected accounting fraud. At the conclusion of the undertaking, a written report was made public and provided to the SEC, which was simultaneously investigating. The SEC closed its investigation without taking any action against the firm's client
- Represented the Independent Audit Committee of a major telecommunications company in connection with an internal investigation of suspected inventory theft in several domestic and international offices
- Represented, on a pro bono basis, the New Jersey Advisory Committee on Police Standards, which was ordered by New Jersey Governor Jon S. Corzine to evaluate the efforts of the New Jersey State Police to eradicate racial profiling. The report was made public
- Represented, on a pro bono basis, a museum in investigating allegations that assets were misappropriated by employees

## INSURANCE PRACTICE

- Providing advice to several of the world's largest insurance companies in connection with directors and officers, mortgage, professional liability, business interruption, environmental, marine and first-party property insurance policies issued to a wide variety of businesses and industries
- Representing one of the world's largest mortgage insurance companies in connection with a multi-million dollar reinsurance dispute in an arbitration proceeding
- Represented a leading insurance company in coverage litigation against a major investment bank in a high-profile case in New York state court arising out of a directors' and officers' insurance claim. This case was resolved when the New York Court of Appeals found in favor of the firm's client
- Represented a leading insurance company in coverage litigation against a group of hedge funds in a multi-million dollar case in New Jersey state court. Through mediation, the case was resolved favorably for the firm's client
- Represented a leading insurance company in litigation against a major insurance company in a multi-million dollar dispute in New Jersey state court. Through mediation, the case was resolved favorably for the firm's client
- Represented a leading insurance company in a multi-million dollar dispute in New Jersey state court arising out of an environmental loss. Through mediation, the case was resolved favorably for the firm's client
- Represented a leading insurance company in litigation against a municipality in a multi-million dollar dispute in New Jersey state court. Through mediation, the case was resolved favorably for the firm's client
- Represented a leading insurance company in litigation against a quasi-governmental agency in a multi-million dollar dispute in Connecticut state court. Through mediation, the case was resolved favorably for the firm's client

- Represented an insurance broker against a large insurance company in connection with a multi-million dollar litigation in the Southern District of New York. Through mediation, the case was resolved favorably for the firm's client
- Represented a leading Hong Kong-based insurance company in litigation commenced by an insured in Texas state court. The matter was resolved favorably for the firm's client
- Advised a leading Hong Kong-based insurance company in connection with the disbursement of disputed life insurance benefits in the face of various regulatory and other concerns
- Advised a leading China-based insurance company in connection with numerous claims against its insureds pending in courts throughout the United States

## CREDENTIALS

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### Admissions

- New Jersey
- New York

### Education

- J.D., Chicago-Kent College of Law, Illinois Institute of Technology 1999
  - with high honors*
  - Order of the Coif
  - Law Review*
  - Moot Court
  - Semi-finalist, National Moot Court Competition
- B.A., Ohio Wesleyan University 1994

### Courts

- Supreme Court of New Jersey
- Supreme Court of New York
- United States District Court for the District of New Jersey
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York

### Memberships

- New York State Bar Association
- New Jersey State Bar Association
- American Bar Association