

# ROBBINS | RUSSELL

Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP



## Gary A. Orseck

PARTNER

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V-CARD

### Education :

J.D., *with distinction*, Stanford Law School, 1988

Editor, *Stanford Law Review*

B.A., *magna cum laude*, Brown University, 1985,

Phi Beta Kappa

### Bar Admissions :

District of Columbia

California (inactive)

Florida (inactive)

ABOUT

Gary Orseck's trial practice focuses on complex civil litigation and government enforcement actions. He represents plaintiffs and defendants, and large and small companies, in all sorts of disputes. In the past few years, Gary was lead trial counsel in three major federal jury trials; a software infringement case, a collective action under the Fair Labor Standards Act against the City of New York, and a breach of fiduciary duty claim. Gary regularly defends corporations, large accounting firms, and their directors, officers, and partners in private securities class actions and in SEC and PCAOB enforcement proceedings.

Gary co-founded Robbins Russell in 2001, and served as the firm's Managing Partner for 14 years. He had been a partner in the Washington office of Mayer, Brown & Platt, and before that served in the Civil Division of the U.S. Department of Justice, where he received numerous awards for distinguished trial work. After law school, Gary clerked for Judge Peter T. Fay on the United States Court of Appeals for the Eleventh Circuit.

### Professional Activities, Publications, and Honors

Member, Securities Litigation Advisory Committee to the U.S. Chamber of Commerce's National Chamber Litigation Center

## REPRESENTATIVE MATTERS

*Norfolk County Retirement System v. Community Health Systems, Inc.*, Consolidated C.A. No. 11-cv-00433 (M.D. Tenn.) (lead counsel for defendants in putative federal securities class action against CHS, seeking more than \$1 billion in damages).

*Teamsters Local 456 Pension Fund v. Universal Health Services, et al.*, C.A. No 2:17-cv-02817 (E.D. Pa.) (lead counsel for defendants in putative class action seeking more than \$1 billion in damages).

*Carlyle Capital Corporation v. Conway, et al.* (lead counsel for defendant independent directors of publicly traded investment fund in action seeking nearly \$2 billion in damages for alleged breaches of fiduciary duty; on September 4, 2017, after a months-long trial, the Royal Court of Guernsey issued a verdict for the defendants on all counts.)

*Garden City Employees' Retirement System v. Psychiatric Solutions, Inc.*, No. 3:09-cv-00882-WJH (M.D. Tenn.) (served as lead counsel for defendants in federal securities shareholder class action seeking hundreds of millions in damages alleging material misstatements concerning patient care. Case settled shortly before trial)

*Big Vision Ltd. v. E.I. Du Pont de Nemours & Co.*, No. 11 Civ. 8511 (S.D.N.Y.) (served as lead counsel for plaintiff in suit alleging misappropriation of trade secrets and unfair competition in the global

market for commercial billboards)

*E.L. Phelps, et al. v. Stomber, et al.*, No. 11-cv-01142 (D.D.C.) (won motion to dismiss putative class action asserting federal and common law securities claims seeking hundreds of millions in damages)

*Pegasus Imaging Corp. v. Northrop Grumman Corp.*, et al., No. 8:07-CV-01937 (M.D. Fla.) (served as lead counsel for defendant Northrop in jury trial concerning allegations of copyright infringement and breach of license; matter settled after court declared a mistrial)

*Amtrak v. Veolia*, Civil Action No. 1:07-cv-01263-RBW (D.D.C.) (served as lead counsel for plaintiff Amtrak in suit arising from competitive bid for commuter rail service contract in Florida)

*Scott, et al. v. City of New York, et al.*, Case No. 02-CV-9530 (S.D.N.Y.) (served as lead counsel for nearly 16,000 New York City police officers and detectives in Fair Labor Standards Act suit; won summary judgment on overtime rate claims)

*Official Committee of Unsecured Creditors of TOUSA, Inc., et al. v. Citicorp North America, Inc., et al.*, Adv. Pro. No. 08-01435-JKO (Bankr. S.D. Fla.) (with team of Robbins Russell lawyers, tried fraudulent conveyance action in which our client was awarded more than \$500 million in damages)

Represent large accounting firms in numerous ongoing PCAOB and SEC investigations