



John Dellaportas

John Dellaportas is the Co-Chair of Emmet Marvin's Litigation Department. With more than two decades experience representing clients in high-stakes commercial, intellectual property and securities litigations and arbitrations, Mr. Dellaportas thrives under the challenge of achieving the right results for his clients and has successfully done so throughout his career.

Mr. Dellaportas handles cases involving banking and finance, patent and trade secrets, commercial real estate and other complex commercial litigation matters. Mr. Dellaportas also aggressively defends clients in shareholder class actions, and in civil enforcement actions and investigations brought by the Securities and Exchange Commission (SEC). He is lead counsel to government contractors on major procurement disputes and bid protests, and serves as an arbitrator and court-appointed fiduciary in financial services and real estate proceedings.

Notably, in 2012, Mr. Dellaportas served as lead trial counsel to Bruce Bent, co-inventor of the money market fund, and his son Bruce Bent II, in an SEC civil action. Following a month-long trial, a Manhattan federal jury rendered a unanimous verdict in favor of the Bents, clearing them of all SEC Rule 10b-5 and other securities fraud charges. That courtroom victory earned Mr. Dellaportas "Litigator of the Week" honors from The Am Law Litigation Daily in November 2012, and "Litigator in the Spotlight" recognition by The American Lawyer in January 2013. Mr. Dellaportas' closing statement was featured in the November 7, 2012 issue of The Wall Street Journal.

A frequent writer and lecturer on securities law topics, Mr. Dellaportas most recently authored chapters on the Investment Advisers Act of 1940 and the Trust Indenture Act of 1939 for the Thomson Reuters treatise Securities Crimes, 2nd Edition. In 2009, he was a featured presenter at AsiaLaw's 4th Annual Dispute Resolution Summit in Singapore, where he spoke on "Dispute Resolution in a Financial Crisis."

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EDUCATION

Columbia Law School, J.D., 1994

Yale University, B.A., Economics, 1991

PRACTICES & INDUSTRIES

Bankruptcy Litigation

Litigation

Securities and Securities Services

White Collar Criminal Defense,
Civil Enforcement Actions and
Investigations

ADMISSIONS

New York, 1995

U.S. District Courts—Southern, Eastern
and Northern Districts of New York

U.S. Court of Appeals—Second, Fifth,
Tenth and Federal Circuits

PROFESSIONAL ACTIVITIES

Hellenic-American Association for
Professionals in Finance (HABA)

NYC Bar Association, Securities
Litigation Committee

EXPERIENCE

- Co-lead trial counsel to a leading manufacturer of chemical road deicers, Sears Ecological Applications Co., in patent litigation and Patent and Trademark Office (PTO) proceedings. He obtained a favorable jury verdict on all infringement, invalidity, inequitable conduct and trade secrets counts.
- Successfully argued, before Louisiana Supreme Court, certified question of law from the U.S. Court of Appeals for the Fifth Circuit on behalf of major Korean conglomerate.
- Appointed by U.S. District Judge Kimba Wood to serve as corporate receiver for a failed broker-dealer firm, on recommendation by the

Securities Industry and Financial
Markets Association (SIFMA)
Security Traders Association of New
York, Inc. (STANY)
Battery Park City Homeowners
Coalition, Inc., President, 2016-present
NYC Bar Association, Transportation
Law Committee Chair, 2010-2013

AWARDS/RANKINGS

Fellow, Chartered Institute of
Arbitrators (FCIArb)
Named "Litigator in the Spotlight" by
The American Lawyer, January 2013.
Named "Litigator of the Week" by *The
Am Law Litigation Daily*, November
2012.

RELATED NEWS

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Commodity Futures Trading Commission (CFTC).

- Appointed by the New York City Bar Association to serve as chair of a three-member arbitration tribunal overseeing a \$20 million commercial real estate dispute.
- Lead counsel to the Reserve Primary Fund's senior management in a billion-dollar shareholder class action brought after a \$62 billion money market fund "broke the buck." He negotiated a successful class settlement approved by U.S. District Judge Paul Gardephe.
- Co-lead trial counsel to a telecommunications infrastructure manufacturer, Rohn Industries, in a Delaware litigation over an asset purchase agreement. He won a \$20 million judgment after a bench trial and the successful appeal to the Delaware Supreme Court.
- Lead counsel to a Daewoo affiliate in confirmation and attachment proceedings relating to an American Arbitration Association (AAA) proceeding. He successfully obtained confirmation of a \$17 million award.
- Co-lead trial counsel to a Samsung affiliate in a week-long International Chamber of Commerce (ICC) arbitration. He obtained an award for the client defeating a \$10 million claim.
- Lead trial counsel for a major transit bus manufacturer, New Flyer of America (fka NABI), on government contract and related procurement matters. He litigated successful bid protests overturning two losing awards from local transit agencies, each protest resulting in a contract award to NABI worth more than \$100 million.
- Lead counsel to the Reserve International Liquidity Fund and its senior management in a federal interpleader action over the liquidation of a \$4 billion offshore investment fund. He successfully negotiated a global settlement spanning five different jurisdictions.
- Lead trial counsel to C&S Wholesale Grocers in AAA arbitration. He obtained an award for the client defeating an \$8 million claim.
- Successfully obtained \$100+ million order of attachment in New York court in aid of Singapore arbitration; attached assets included stock in overseas entities and loan collateral

SPEAKING ENGAGEMENTS

- "New Areas of International Arbitration," 6th Asia Pacific ADR Conference (Seoul, November 8, 2017)
- "What Matters to SEC Regulators and How Directors & Officers Can Best Respond," The Directors Roundtable (Chicago, September 26, 2017)
- "Dispute Resolution in a Financial Crisis," AsiaLaw's 4th Annual Dispute Resolution Summit (Singapore, May 12, 2009)

PUBLICATIONS

- "Supreme Court and Second Circuit Issue Pair of Rulings Expanding Authority of Arbitration Tribunals in U.S.," JD Supra (Jan. 24, 2019)
- "NY Appellate Division, In *Daesang v. NutraSweet*, Delivers a Blow to 'Manifest Disregard' Doctrine," Mealey's International Arbitration Report (Nov. 2018)
- "Second Circuit Extends Application of U.S. Securities Laws to Foreign Trades Matched on U.S.-Based Electronic Trading Platform," JD Supra (June 18, 2018)

- “Why The FBI’s Raid On Michael Cohen Sets A Dangerous Precedent,” The Federalist (May 8, 2018)
- “New York Federal Court Expands Scope of Asia Global’s Benchmark Test Regarding Personal Emails Sent on Corporate Servers,” JD Supra (Mar. 27, 2018)
- “Korea’s Financial Supervisory Service Retains Sovereign Immunity, For Now,” JD Supra (Mar. 20, 2018)
- “A NY Practitioner’s Guide to Interstate Discovery,” Law360 (Jan. 7, 2015)
- “Arbitrating Against Non-Signatories: The Current State of Play,” New York Law Journal (Mar. 31, 2014)
- “The Investment Advisers Act of 1940,” Securities Crimes, 2nd Edition (Dec. 2013)
- “The Trust Indenture Act of 1939,” Securities Crimes, 2nd Edition (Dec. 2013)
- “Wading Through Janus, Two Years Later,” New York Law Journal (Sept. 9, 2013)
- “A Trap for the Unwary in Terminating M&A Transactions,” Law360 (Jan. 12, 2012)
- “Caught in the Corporate Web: Triangular Setoffs and the Cross-Border Lehman Bankruptcy,” Newsletter of the Asia Pacific Regional Forum (Oct. 2009)
- “Maintaining Order in Declaratory Judgment Actions,” New York Law Journal (Apr. 3, 2006)

MEDIA

- Live in the AM Interviews John Dellaportas on Michael Cohen Plea (Nov. 30, 2018)
- Fox5 NY News Interviews John Dellaportas on Jeff Sessions Resignation (Nov. 7, 2018)
- U.S. News & World Report Quotes John Dellaportas in “Approval of Bitcoin ETFs by SEC Appears Murky” (Oct. 9, 2018)
- ETF.Com Quotes John Dellaportas in “SEC Suspends Trading In Crypto ETPs” (Sept. 11, 2018)
- The Torch Quotes John Dellaportas in “SJU Sued Over Bent Hall” (Jan. 31, 2018)
- Law360 Quotes John Dellaportas in “SEC Pursuing MBS Traders Despite Prosecutors’ Early Flop” (May 16, 2017)
- Law360 Quotes John Dellaportas in “Tilton, SEC Prep for Unprecedented Face-Off in \$200M Case” (Oct. 21, 2016)
- Law360 Features John Dellaportas’ Litigation Victory in “Why Financial Crisis Cases Against Wall Street Execs Veered Off Target” (July 15, 2016)
- Law360 Quotes John Dellaportas in “SEC’s In-House Courts Safe for Now After 2nd Circuit Win” (June 1, 2016)
- BNA Securities Regulation & Law Report Quotes John Dellaportas in “Lawyers Awaiting Halliburton Decision; Could Have Big Impact on Class Litigation” (Jan. 27, 2014)
- BNA Securities Regulation & Law Report Quotes John Dellaportas in “High Court Docket Includes Disputes Over SLUSA, SOX Whistle-

Blower Provision" (Oct. 2013)

- Bloomberg Law Interviews John Dellaportas on His Successful Representation of the Bents in Securities Fraud Lawsuit Brought by the SEC (Nov. 27, 2012)
- The Wall Street Journal Features John Dellaportas' Litigation Victory in "Reserve Primary Managers Cleared in SEC Fraud Case" (Nov. 13, 2012)
- New York Post Features John Dellaportas' Litigation Victory in "Mary fails again" Bents best SEC in 'broken buck' case" (Nov. 13, 2012)
- The Wall Street Journal Features John Dellaportas' Closing Statement to Jury in "Fund's 2008 Woes Likened to Sandy" (Nov. 7, 2012)
- Delaware Law Weekly Features John Dellaportas' Litigation Victory in "Rohn To Get \$20.4 Mil. Settlement in Contract Case" (Aug. 15, 2007)
- The Miami Herald Features John Dellaportas' Litigation Victory in "Bus Deal Becoming Fiasco for County" (Dec. 29, 2006)