ArentFox Schiff LLP
Attorneys

Lee A. Pepper

PARTNER

Lee focuses on a range of complex commercial litigation matters.

Industries

Construction
Fashion & Retail Law
Automotive & Transportation
— Automotive

Practices

Complex Litigation
Finance
— Derivatives
Insurance & Reinsurance

Education

Georgetown University Law Center, JD, 2009
Cornell University, BS, 2006

Offices

New York

Phone

212.457.5406

Email

lee.pepper@afslaw.com

Lee is a seasoned litigator in ArentFox Schiff's New York office focused on complex commercial litigation. He advises companies, c-suite executives, and high-net-worth individuals across a broad array of industries, including financial services, fashion, real estate, construction, sports, insurance and reinsurance, automotive, healthcare, and energy. Lee has successfully litigated disputes related to mergers and acquisitions, securities, corporate governance, trademark infringement, business torts, and other commercial actions.

He has experience in all phases of litigation, including trials, appeals, arbitrations, complex discovery matters, and motion practice.

Lee previously served on the ArentFox Schiff Associates Committee.

Client Work

Some of Lee's work on behalf of his clients includes the following:

- Representation of the Board of Managers of a luxury condominium in an action seeking damages for major design and construction defects in the gut renovation and conversion to residential condominium units of a landmarked building located in New York City's Flatiron District.
- Representation of an international cosmetics manufacturer in an action asserting, among other claims, a violation of The Defend Trade Secrets Act.
- Representation of a leading global retailer in a trademark infringement dispute.
- Representation of a billionaire's private foundation in an action against a leading insurance carrier.
- Representation of a client in a "business divorce" related to multiple residential real estate holdings in New York City.
- Representation of a privately held insurance company in an action against a "Big 4" accounting firm.
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Representation of a “Power Five” collegiate athletic conference in connection with a multimedia rights proposal.

- Representation of a major sportswear brand regarding an endorsement contract with a professional basketball player.
- Representation of a global diamond manufacturer and distributor in recovery of rare stolen diamonds in a criminal forfeiture proceeding.
- Representation of automotive dealers in franchise disputes with automotive manufacturers in various federal and state actions.
- Representation of an owner, developer and manager of premium residential properties in actions seeking construction licenses.
- Representation of the nation’s leading provider of pharmaceutical services — and certain of its current and former officers and directors — in a federal securities class action arising out of certain government inquiries and alleged accounting improprieties in which the US Court of Appeals for the Sixth Circuit affirmed the dismissal of all claims alleging violations of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.
- Representation of a provider of pharmaceutical services — certain of its current and former officers — in a separate federal securities fraud class action asserting claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 premised on “whistleblower” allegations of purported Medicare fraud, in which all claims were dismissed with prejudice by the district court.
- Representation of the investment arm of a multinational conglomerate in an action for breach of contract and reformation against one of the world’s largest private equity funds in the Delaware Court of Chancery.
- Representation of a Canadian biotech firm against claims for breach of an acquisition agreement.
- Representation of a hedge fund challenging the recapitalization of a publicly traded media company in the Delaware Court of Chancery.
- Representation of a leading retailer of women’s apparel and its board of directors in litigation filed in the Delaware Court of Chancery arising out of a merger with a SPAC; led to successful transaction and favorable settlement.
- Representation of pro bono clients in a widely publicized search and seizure case against ICE and Homeland Security.
- Representation of a pro bono client in an action alleging age and disability discrimination.
- Representation of a pro bono client in connection with the Clemency Project.

Previous Work

Prior to joining ArentFox Schiff, Lee was a litigation associate in the New York offices of two nationally recognized law firms.

Publications, Presentations & Recognitions

Lee’s publications include the following:

- “Delaware Quarterly: Recent Developments in Delaware Business and Securities Law,” *Securities Reform Act Litigation Reporter and Bank and Corporate Governance Law Reporter* (October 2013; April 2013; October 2012; April 2012; October 2011; April 2011; July 2010) (Co-Author).
- Twenty-Third Survey of White Collar Crime, *Corporate Criminal Liability*, 45 Am. Crim. L. Rev. 275 (2008) (Co-Author).

Lee’s recognitions include the following:

- 2021 “*The Best Lawyers in America*: Ones to Watch” in Commercial Litigation.
- 2014, 2015, 2016, 2017, 2018, 2019, and 2020 *Super Lawyers* Rising Star in Business Litigation.
- 2016 Albert E. Arent Pro Bono Award for outstanding contribution to the public interest.
- *Empire State Counsel* Designation from NYSBA for Outstanding Pro Bono Contribution.
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2013 Winston & Strawn Pro Bono Commitment to Service Award.

Bar Admissions

New York
New Jersey

Court Admissions

US District Court, Southern District of New York
US District Court, Eastern District of New York