



Kelly A. Librera

Partner

New York
+1 212-294-4622

Kelly is a trial lawyer whose practice focuses on business disputes and complex commercial litigation in state and federal courts, and in domestic and international arbitration fora. She is recognized as a BTI “Client Service All-Star” for exceptional client service, and a “Key Lawyer” by *The Legal 500 US* in Commercial Dispute Resolution.

Kelly has successfully represented clients in disputes concerning class actions, fraud, insurance coverage, parallel proceedings, the Martin Act, RICO violations, Title VII, tax controversy, and breach of contract. She has also helped clients effectively navigate government investigations, employment disputes, sensitive investigations involving whistleblowers, and claims of sexual misconduct, discrimination, and sexual harassment.

Kelly serves as co-Hiring Partner for the New York Office, is Co-Chair of the New York Office’s Associate Evaluation Committee, and is a member of the firm’s Complex Commercial Litigation Advisory Board and Respectful Workplace Committee.

Key Matters

Representative Matters Involving Professional Services Firms and Financial Services Providers

- Representation of a financial institution in litigation with Federal Reserve Bank of New York and the Board of Governors concerning master account access
- Representation of a professional services firm in breach of contract and fraud litigation brought by former partner
- Representation of an international investment company in connection with a Department of Justice investigation into allegedly fraudulent investment strategies
- Representation of a global banking and financial services company and its subsidiaries, affiliates, and employees in civil litigation and investigations arising out of a series of allegedly fraudulent tax shelters
- Representation of an international investment company in connection with a Department of Justice investigation into allegedly fraudulent investment strategies
- Representation of global financial services company in New York State Insurance Department investigation of alleged unauthorized sale of insurance products
- Representation of a global financial services provider in litigation arising out of collapse of National Century Financial Enterprises, Inc.
- Representation of a financial services company in class action litigation involving the marketing of so-called “vanishing premium” policies
- Representation of a clearing bank and its employees in litigation arising out of Lehman bankruptcy

Representative Insurance Matters

- Representation of an international property insurance company in nearly US\$2B coverage dispute arising out of Superstorm Sandy; secured summary judgment on all claims
- Representation of an international property insurance company in US\$150 million dispute arising out of Superstorm Sandy; obtained summary judgment on all claims
- Representation of an international property insurance company in multi-million-dollar dispute arising out of Hurricane Maria
- Representation of a national insurance company in a series of putative class actions throughout the United States concerning travel insurance product; obtained with prejudice dismissals and successful settlements of all
- Representation of a long term care insurer in case alleging fraud and statutory claims; successfully obtained dismissal
- Representation of an insurance brokerage and consulting firm and its special committee in putative class action brought to enjoin its US\$1.4 billion acquisition
- Representation of an international insurance company in cross-border coverage dispute involving Mexican law

Representative Employment Matters

- Representation of an international company in class action litigation involving claims of Title VII religious discrimination
- Representation of a professional services firm in litigation involving allegations of age discrimination and retaliation
- Conducted an internal investigation for a financial services provider in response to whistleblower allegations concerning alleged inappropriate hiring practices, racial discrimination, financial misconduct, and sexual harassment by C-suite executive
- Conducted an internal investigation for renewable energy company involving allegations of impropriety by C-suite executives

- Conducted an internal investigation for a law firm in response to allegations that it marketed and promoted fraudulent tax shelters

Representative Fraud and Securities Matters

- Representation of a biotechnology company in connection with an SEC investigation of insider trading
- Conducted internal investigation for a Fortune 500 technology company arising from *qui tam* complaint alleging fraud on state and federal authorities in sale of technology
- Representation of a Brazilian food corporation in class action alleging violations of the Securities Exchange Act of 1934 and Rule 10(b)(5)
- Representation of former stockbroker in appeal of conviction of Martin Act and securities fraud crimes
- Representation of a global banking and financial services company in cases brought in federal and state court alleging securities fraud
- Representation of broker in connection with District Attorney investigation and cases arising out of alleged fraudulent sale of Claude Monet Water Lily painting
- Representation of real estate development company in case and investigation alleging Martin Act violations
- Representation of an athletic retailer in expedited litigation concerning the financing of its merger

Representative International Arbitrations

- Representation of an infrastructure investment company in a high-stakes dispute arbitrated before the International Centre for Dispute Resolution of the American Arbitration Association. Secured a US\$221 million arbitration award
- Representation of an international manufacturer of construction and mining equipment in a US\$19 million dispute arbitrated before the International Centre for Dispute Resolution of the American Arbitration Association
- Representation of Dubai-based luxury goods purveyor in multimillion dollar dispute concerning distribution agreement

Representative Pro Bono Matters

- Representation of an indigent petitioner in a federal *habeas corpus* case that resulted in a reconstruction hearing on *Batson v. Kentucky* issues
- Representation of plaintiffs in *Aguilar v. Immigration and Customs Enforcement*, a landmark case involving constitutional challenges to ICE home raids in the New York area

Recognitions

- “Client Service All-Star,” *BTI Consulting Group*, 2022
 - “Key Lawyer,” *The Legal 500 US*, Dispute Resolution: General Commercial Disputes, 2022–2023
 - “NY Metro-Rising Star,” *Super Lawyers*
-

Activities

Committees/Memberships

- Federal Bar Council
- Federation of Defense & Corporate Counsel (FDCC)
- New York Bar Association

Board Membership

- Ecuadorean American Association, Board Member
 - Law360 IA Property Editorial Advisory Board Member (2021–2022)
-

“ Kelly is just so down to earth and easy to work with. She has the smarts as well as excellent argumentative and writing skills. ”

BTI Client Service All-Star, client testimonial

Credentials

EDUCATION

Kelly received her J.D. from Georgetown University Law Center. She received a B.A. in history and a B.A. in Spanish from the University of Virginia.

ADMISSIONS

- New York

Related Insights & News

Speaking Engagements

- “Corporate Rep Deposition Tips and Tricks,” ALM Complex Claims & Litigation Forum, Co-panelist, Feb. 2023

Publications

- *New York Lawyers’ Practical Skills Series*, Arbitration and Mediation, Editions 2016–2023
-

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2023

JUNE 7, 2023

SPEAKING ENGAGEMENT

Kelly Librera and George Mastoris Speak at ALM's Complex Claims & Litigation Forum

FEBRUARY 27, 2023

RECOGNITIONS

Winston Partners Named 2022 Client Service All-Stars by BTI

JULY 25, 2022

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2022

JUNE 8, 2022

RECOGNITIONS

Winston & Strawn Recognized in *Global Arbitration Review's* GAR 100 15th Edition

JUNE 1, 2022

RECOGNITIONS

Law360 Names Winston Attorneys to 2022 Editorial Advisory Boards

MAY 6, 2022

RECOGNITIONS

GAR 100 Recognizes Winston & Strawn as a Leading Arbitration Practice

JULY 16, 2021

RECOGNITIONS

Law360 Names Winston Attorneys to 2021 Editorial Advisory Boards

MARCH 24, 2021

WEBINAR

Class Actions in the Financial Capital of the World

AUGUST 20, 2020

RECOGNITIONS

GAR 100 Recognizes Winston & Strawn as a Leading Arbitration Practice

APRIL 16, 2018

RECOGNITIONS

Winston Makes LACCA List of Top International Firms Representing Latin America's Biggest Companies 2017

FEBRUARY 2, 2018

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S., 2017 Edition*

Capabilities

Class Actions & Group Litigation

Transactions

Litigation/Trials

Commercial Litigation & Disputes

Financial Services Litigation

Government Investigations, Enforcement & Compliance

International Arbitration

Labor & Employment

Financial Services

Professional Services

Insurance