



Kerry C. Donovan

Partner

Admitted to practice only in New Jersey and New York

New York

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An exceptionally versatile litigator, Kerry Donovan has experience in a broad range of complex commercial litigation, including securities and M&A-related litigation, antitrust, RICO, and bankruptcy. As a former federal law clerk, her inside understanding of the judicial process enables her to provide strategic and creative solutions for her clients.

Kerry represents public and private companies primarily in the financial services, banking, and pharmaceutical sectors. She has delivered winning results for clients in high-stakes matters that span securities, antitrust, M&A, and intellectual property litigation. Kerry has experience defending and litigating complex cases at the trial and appellate level in federal and state courts, through and including trial. Recently, her practice has focused on violations of the False Claims Act (FCA) and the Foreign Corrupt Practices Act (FCPA) and parallel federal securities class actions and shareholder derivative suits. While based out of New York, Kerry also has extensive experience with the London and Los Angeles legal markets.

Prior to working at Winston & Strawn, Kerry served as a law clerk to the Honorable Joel A. Pisano, United States District Judge for the District of New Jersey. She also interned in the United States Court of Appeals for the Second Circuit for the Honorable Joseph M. McLaughlin.

Kerry is committed to her pro bono practice, where she dedicates her time to the representation of clients seeking asylum due to political and/or gender persecution. She has also represented a non-profit organization in an administration proceeding, in which she was able to secure a successful settlement on the eve of trial after expedited discovery. She has most recently worked with the Legal Aid Society and LatinoJustice in litigation relating to a proposed rule from the U.S. Department of Housing and Urban Development.

Key Matters

Kerry's current and recent representative experience includes the following:

- Representing a global investment bank in class action lawsuit in the Southern District of New York alleging collusion among banks to restrain competition by preventing the development of anonymous exchange trading of stock loans.
- Representing a multinational pharmaceutical company and certain of its former officers in a federal securities class action in the Eastern District of Pennsylvania arising out of alleged underlying violations of the FCA.
- Representing a major financial firm and certain of its former directors and officers in a consolidated federal class action and related shareholder derivative actions, arising out of a more than US\$2 billion drop in the company's market capitalization in February 2018 following the announcement of the company's 2017 financial results and dividend guidance for 2018.
- Representing a global investment bank and certain of its former directors and officers in a federal securities class action and related shareholder derivative litigation in the Southern District of New York arising out of alleged underlying violations of the FCPA and other state and federal laws, in which our client faces billions of dollars of damages.
- Successfully represented a large U.S. based multinational conglomerate in a post-closing dispute over minority shareholder rights. After a two-week arbitration, panel awarded our client with approximately US\$300 million, as well as attorneys' fees and pre- and post-award interest.
- Won dismissal of a putative nationwide class action against major financial firms alleging RICO violations in connection with the design and sale of fixed-index annuities in the District of Kansas.
- Won dismissal of a Lanham Act case against a multinational consumer packaged goods company for allegedly deceptive marketing practices in their pet food packaging. On appeal, the Sixth Circuit affirmed in a precedential decision.
- Successfully secured summary judgment for a leading technology company and its CEO in a case where the plaintiff sought more than US\$500 million for claims ranging from fraud to violations of statutory labor law. On appeal, obtained a decision from the Third Circuit affirming the entry of judgment.
- Served as outside counsel to the court-appointed Examiner in an investigation into the bankruptcy of Caesars Entertainment Operating Company, Inc.

Credentials

EDUCATION

Kerry received her J.D., *cum laude*, from the University of Notre Dame in 2012, where she was the executive articles editor of the *Journal of Law, Ethics, and Public Policy* and the Vice President of the Student Bar Association. Kerry received the Dean's Award in Information Technology Law and was a member of the Dean's List. She received a B.A. from the University of Notre Dame in 2008, where she was a member of Sigma Tau Delta.

ADMISSIONS

- New Jersey
- New York

CLERKSHIPS

- USDC - District of New Jersey for the Honorable Joel A. Pisano

Related Insights & News

“Vanity Fare: The Cost, Controversy, and Art of Fashion Photoshopping,” *26 Notre Dame J.L. Ethics & Public Policy* 581, Note, 2012

NEWS

Winston Team Wipes Out Pure Omission Liability With Unanimous Supreme Court Ruling

APRIL 15, 2024

SPONSORSHIP

Winston Supports the 51st Annual Securities Regulation Institute

JANUARY 22, 2024

PRO BONO IN ACTION

Winston Sheds Light on U.S. Failure to Support Afghan Refugees After Military Withdrawal

MARCH 22, 2023

IN THE MEDIA

Winston & Strawn and Chamber of Digital Commerce File Amicus Brief in *SEC v. Wahi*

FEBRUARY 22, 2023

RECOGNITIONS

Winston & Strawn Antitrust/Competition Practice Recognized in 2023 GCR 100

DECEMBER 19, 2022

CLIENT ALERT

Winston Files Amicus Brief in *SEC v. Ripple Labs Inc. et al.* on Behalf of Valhil Capital, LLC in Support of Defendants' Motion for Summary Judgment

NOVEMBER 21, 2022

BLOG

Winston & Strawn Launches: Women in Antitrust - A Limited Podcast Series

JULY 15, 2022

PRO BONO IN ACTION

Winston & Strawn Attorneys and Staff Receive The Legal Aid Society's Pro Bono Publico Award

JANUARY 10, 2022

WEBINAR

The Perils of Overpromising: Managing Exposure When Your Product Doesn't Live Up to the Hype

JANUARY 13, 2021

PRESS RELEASE

Winston & Strawn Names 11 New U.S. Partners

DECEMBER 16, 2020

NEWS

Winston & Strawn and LatinoJustice Sue for Information About HUD's Plan to Separate Immigrant Families in Federal Housing

JULY 7, 2020

PRO BONO IN ACTION

Pro Bono Reporter – Fall 2018

FALL 2018

Capabilities

Litigation/Trials

Advertising Litigation

Antitrust/Competition

Appellate & Critical Motions

Financial Services Litigation

Bankruptcy Litigation & Investigations

Class Actions & Group Litigation

Commercial Litigation & Disputes

International Arbitration

Securities, M&A & Corporate Governance Litigation