

Eli B. Richlin

PARTNER

Litigation
New York

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FOCUS AREAS

Arbitration
Artificial Intelligence and
Machine Learning
Board and Internal
Investigations
Class Action Litigation
Commercial Litigation
Corporate Governance
Litigation
FCPA and Anti-Corruption
Government Investigations
Litigation
Securities Litigation
Trial
White Collar Crime

HIGHLIGHTS

- **Litigation Experience Across a Range of Areas**
Eli maintains a broad practice with experience across a wide range of matters including contractual disputes, the protection of intellectual property rights, cutting-edge internet issues for technology clients, and corporate control.
- **Involvement in Precedent-Setting Matters**
Eli's practice includes high-stakes matters raising novel legal questions involving Section 230 of the Communications Decency Act, the Digital Millennium Copyright Act, the Stored Communications Act, and the Foreign Corrupt Practices Act.
- **Trial and Appellate Litigation Experience**
Eli has defended individuals and companies in the New York State Supreme Court and the U.S. District Court for the Eastern District of New York. His trial experience includes second-chairing three trials.

EXPERIENCE

Eli Richlin practices in the New York office of Wilson Sonsini Goodrich & Rosati, where he maintains a broad practice focused on litigation pending in New York federal and state courts covering general commercial matters, intellectual property disputes, white collar criminal defense and internal investigations, and government and regulatory enforcement proceedings.

Eli has advised and represented individual and corporate clients in connection with a wide range of matters, including contractual disputes, the protection of intellectual property rights, cutting-edge internet issues for technology clients, and corporate control. His commercial cases have involved copyright and trademark infringement, license disputes, unfair competition law, and fraud claims. Eli's practice also includes high-stakes matters raising novel legal questions involving Section 230 of the Communications Decency Act, the Digital Millennium Copyright Act, and the Stored Communications Act. Eli provides clients with pre-litigation counseling regarding product design, evaluation of legal risks, and dispute resolution, and is experienced in all stages of the litigation process, from pre-dispute demands, inception of an action, the aggressive pursuit of discovery and managing all aspects of complex electronic discovery, motion practice, trial and appeal. Eli's trial experience includes second-chairing three trials.

Eli's white collar experience includes defending individuals and companies under investigation by the U.S. Attorney's Offices of the Southern and Eastern Districts of New York, the U.S. Department of Justice, the New York Attorney General, the U.S. Securities and Exchange Commission (SEC), and the Financial Industry Regulatory Authority (FINRA). He has defended individuals under indictment on

securities fraud charges in New York State Supreme Court and the U.S. District Court for the Eastern District of New York.

Eli has also represented multiple financial institutions in a variety of matters, including litigation and FINRA arbitrations arising out of billions of dollars of auction rate securities issuances; class action litigation relating to more than \$1 billion in securities lending investments; a government inquiry relating to hiring practices in Asia and potential Foreign Corrupt Practices Act violations; and litigation brought by private putative class plaintiffs and government regulators relating to foreign exchange practices. Eli has also conducted a number of internal investigations for financial institutions, a "Big Four" accounting firm, and the NBA Players Association.

Prior to joining the firm, Eli was an associate with Paul, Weiss, Rifkind, Wharton & Garrison LLP and Thompson Hine LLP. Previously, he served as the chief of staff and director of policy and communications for New York City Councilman Eric Gioia and later served as the campaign manager of Gioia's campaign for New York City Public Advocate in 2009. Eli also spent two years promoting renewable energy policies with the California Public Interest Research Group and Environment California.

CREDENTIALS

Education

- J.D., New York University School of Law, 2010
Staff Editor, Annual Survey of American Law; Recipient, Robert McKay Scholar
- B.A., Harvard College, 2001
Magna Cum Laude; Recipient, Harvard College Scholarship for Academic Distinction; Recipient, Kennedy School Institute of Politics Public Interest Fellowship

Associations and Memberships

- Member, Education and the Law Committee, New York City Bar Association, 2019-present
- Member, Criminal Advocacy Committee, New York City Bar Association, 2016-2019
- Member, New York City Affairs Committee, New York City Bar Association, 2013-2016

Admissions

- State Bar of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Eleventh Circuit

INSIGHTS

Select Publications

- "COVID-19 and Force Majeure Clauses," Client Alert, March 2020
- "A One-Way Stay: Cautionary Tales From Parallel Proceedings," *New York Law Journal*, April 2016
- "The Rise of Appraisal Litigation: Will the Fire Spread?" *Willamette Insights*, October 2015
- "Second Circuit Expands Prosecutorial Liability In *Morse v. Fusto*," *Law360*, September 2015
- Co-author, Brief for *amicus curiae* National Association of Criminal Defense Lawyers, *United States v. Ganius*, 12-240-cr (Second Circuit)

Select Speaking Engagements

- "COVID-19 and Force Majeure Clauses," Client CLE Presentation, June 2020
- "Explain It to Me Like I'm an 8-Year-Old, Counselor!" Legal Speak, February 21, 2020
- "Available Damages for Commercial Contract Breach: A Primer on New York Law," Client CLE Presentation, March 2019