



Shivani Poddar

*Partner*

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Shivani Poddar is a litigation partner with over a decade of experience, focusing on a broad range of complex and general commercial, real estate, and employment disputes in litigation, arbitration, and mediation. Shivani counsels clients in all phases of the dispute, taking into account the client's business goals, often obtaining favorable results pre-litigation. Shivani's clients include institutional investors, hedge funds, real estate companies, consumer goods companies, fin-tech firms, and start-ups.

Shivani was recognized by the *New York Law Journal* as a Rising Star for 2020, an accolade given to a handful of New York City's most promising lawyers under 40, whose accomplishments have contributed notably to the law and the legal community. In 2011 Shivani received the New York Legal Services Pro Bono Recognition Award for her commitment to pro bono work.

Shivani is a driver of diversity and inclusion and involved in numerous organizations and programs designed to increase diversity in the legal field. In 2020, Shivani was selected as a member of the 2020 class of Fellows by the Leadership Council on Legal Diversity ("LCLD").

### Complex Commercial Litigation

As an avid angel investor in start-ups, Shivani is keenly aware of issues that arise from investing in private and public companies. Shivani is often called upon to represent sophisticated investors in disputes arising from complex financial transactions. Shivani is currently representing 95 investors (individuals and institutions), who invested over \$100 million into now-defunct hedge funds, in an action against the funds' auditors and administrator, asserting claims for breach of contract, breach of fiduciary duty, and negligence.

Shivani's past representations include representing the offshore liquidator of the largest Madoff feeder fund to recover billions paid out to investors; defending an investment advisor against fraud claims arising from investments in collateralized debt obligations; and defending a Canadian hedge fund against breach of contract claims asserted by its placement agent.

Shivani frequently handles complex bankruptcy litigation matters as well, including representing a debtor ice cream brand in Chapter 11 proceedings (during the COVID pandemic); representing over 100 investors in a fraudulent conveyance action, arising from a \$2 billion leveraged recapitalization; representing the bankruptcy trustee in a fraudulent transfer action, stemming from one of the largest leveraged buy-out transactions on record; and representing a mortgage originator in an adversary proceeding, stemming from the Lehman bankruptcy, related to breach of warranties in the sale of mortgage loans.

### Real Estate Litigation

Shivani also has extensive experience representing clients in disputes related to real estate transactions, representing owners, developers, commercial tenants, and title insurers in litigation involving breach of contract, breach of fiduciary duty, negligence and fraud claims.

### Employment Litigation

Shivani's practice focuses on employment law, by advising employers in the retail, financial, hospitality and healthcare industries on workplace policies, and defending them in employment-related litigation. She frequently advises clients on employment contracts, confidentiality agreements, restrictive covenants, termination agreements, and employment handbooks. Shivani also has substantial experience defending employers in individual and class actions, related to federal and state wage and hour laws, in litigation, mediation and arbitration.

### Services

- Litigation
- Corporate Litigation
- Securities Litigation and Enforcement
- Employment
- Employment Litigation
- Employment Counseling & Risk Management
- Real Estate Litigation & Dispute Resolution
- Restructuring & Finance Litigation
- Banking & Financial Services

### Education

- American University, Washington College of Law (J.D., *cum laude*, 2010)
  - American University International Law Review, Note and Comment Editor
- Boston University (B.A., *cum laude*, 2006)

### Languages

- Hindi

### Accolades

- Thomson Reuters' New York *Super Lawyers Rising Stars*, Business Litigation (2020)