



Richard A. Bodnar

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Rich is an experienced securities and commercial litigator with a particular focus on investor rights and the use of litigation to recover and protect investors' capital. He has successfully represented hedge funds, private equity funds, institutions, and individuals in securities fraud cases against corporations, auditors, underwriters, directors, and officers. Rich's clients appreciate his dedication to securities litigation, which is driven by the legal philosophy that owners' and investors' rights are critical to the functioning, relevance, and purpose of the capital markets.

In federal and state court cases, Rich has represented clients in disputes involving the antifraud provisions of the federal securities laws, including control person claims against officers and directors as well as claims against related entities such as auditors. He also has experience representing clients in complex commercial cases involving contract disputes, failed merger agreements, earn-outs, financing vehicles, and environmental matters. In addition to securities and complex commercial litigation, Rich advises the Big Brothers Big Sisters organization in New Jersey on a pro bono basis.

Rich frequently shares his legal insights as a contributor to Lowenstein Sandler's **Appraisal Rights Litigation blog**, which covers investors' use of appraisal rights to enhance merger consideration, and its **Capital Markets Litigation blog**, which concerns litigation in the global capital markets, including bond litigation and international arbitration.

EXPERIENCE

- > Won \$475 million arbitration award on behalf of Chinese insurer in international arbitration venued in Hong Kong relating to \$5 billion cross-border M&A transaction.
- > Representing the plaintiff investors in securities fraud case against auditing firm and international affiliate.
- > Representing the plaintiff investors in securities fraud case against leading South American oil company.
- > Represented the plaintiff investors in securities fraud case against international insurer; the matter was confidentially settled.
- > Successfully defended corporation against ERISA claim, defeating the claims via a motion to dismiss. *Sundt v. Telcordia Techs., Inc.*, No. 12-CV-257 DMC MF, 2012 WL 5522899 (D.N.J. Nov. 14, 2012); *Sundt v. Telcordia Techs., Inc.*, No. 12-CV-0257 DMC MF, 2013 WL 4588653 (D.N.J. Aug. 28, 2013).
- > Successfully defended major university against Section 1983 claims, defeating the claims via a motion to dismiss.
- > Represented entities related to Fred Alger Management and Valinor Capital Management in direct actions against LendingClub Corporation related to allegations regarding fraud by its former CEO and other executives. The matter was confidentially settled.
- > Counseled a major institutional investor regarding securities fraud claims against a Fortune 25 company, successfully settling the matter without filing a complaint.

NEWS & INSIGHTS

Publications

- > July 23, 2018
"Timeliness Next to Godliness: Statutes of Limitations and Repose in Securities Class Actions," *ABA Section of Litigation's Class Actions & Derivative Suits Newsletter*
Michael J. Hampson, Richard A. Bodnar
- > April 26, 2018
"Cryptocurrency Class Actions – Relevance to Institutional Investors," *Securities Litigation Client Alert*
Lawrence M. Rolnick, Marc B. Kramer, Sheila A. Sadighi, Richard A. Bodnar
- > January 31, 2017
"Supreme Court to Hear Critical Issue of Time Limits on Investor Rights," *Securities Litigation Client Alert*
Lawrence M. Rolnick, Michael J. Hampson, Richard A. Bodnar

> June 8, 2015

"Recent Applications of Daimler v. Bauman Shrink Jurisdiction Over Foreign Corporations," *Westlaw Journal*
, Richard A. Bodnar

> May 19, 2015

"Unused Gift Cards: A Ticking Time Bomb?," *Apparel Magazine*
Steven M. Hecht, Richard A. Bodnar

EDUCATION

> Harvard Law School (J.D. 2011), cum laude

> Syracuse University (B.A. 2008), summa cum laude

ADMISSIONS

> New York

> New Jersey