



Jordan Goldstein

jgoldstein@selendygay.com

1290 Ave of the Americas
New York, NY 10104
212 390 9008

Jordan A. Goldstein is a veteran litigator who specializes in complex financial products and commercial transactions.

Jordan holds an M.B.A. from Harvard Business School and previously worked as a deal attorney, where he structured many of the same types of transactions he now litigates. Jordan is also a former federal prosecutor and served in senior roles in the U.S. Department of Justice, including in the Office of Legal Counsel and as Special Counsel to the Assistant Attorney General of the National Security Division.

Jordan's private practice has a strong focus on litigating investor claims. He has represented clients adverse to virtually every major investment bank regarding a range of financial products, including mortgage-backed securities, collateralized debt obligations, auction-rate securities, credit default swaps, municipal bonds, and insurance policies on financial instruments. He has litigated and appeared in numerous proceedings on behalf of bondholders in which bond payout provisions are in dispute, has litigated hostile takeovers, has been appointed class action counsel in major antitrust litigation, and has defended borrowers in commercial lending transactions. Jordan has helped his clients recover over \$25 billion.

Examples of Jordan's experience include:

- *Federal Housing Finance Agency v. Nomura, et al.*: Served as trial counsel in a one-month trial in the Southern District of New York, in which the Federal Housing Finance Agency obtained an \$800 million judgment, as well as attorneys' fees, from Nomura and RBS based on findings the investment banks had made false statements to Fannie Mae and Freddie Mac in offering materials for residential mortgage-backed securities. See "Judge's Ruling Against 2 Banks Finds Misconduct in '08 Crash," New York Times, 5/11/2015.
- *Other Federal Housing Finance Agency Litigations*: In Southern District of New York, District of Connecticut, and Central District of California, represented the Federal Housing Finance Agency in obtaining \$25 billion in settlements from Bank of America, Barclays, Citigroup, Credit Suisse, Countrywide, Deutsche Bank, First Horizon, Goldman Sachs, HSBC, JPMorgan, Merrill Lynch, RBS, and UBS, an amount far in excess of what prosecutors and regulators had obtained. See "R.B.S. to Pay \$5.5 Billion to Settle Toxic Mortgage Claims in U.S.," New York Times, 7/12/2017.
- *Mudrick Capital Management, L.P. v. Globalstar, Inc.*: At trial in the Delaware Court of Chancery, represented plaintiff seeking defendant's books and records, including e-mails, pursuant to Section 220 of Delaware's General Corporation Law to investigate an allegedly unfair merger initiated by defendant's controlling shareholder. In an order adopting many of our factual allegations

regarding the proposed merger, the defendant was ordered to produce corporate books and records, including e-mails, from each of defendant's C.E.O., the General Counsel, and the chair of the Special Committee that had approved the merger. One day after this ruling, the challenged merger was called off. See "Litigator of the Week," AmLaw Litigation Daily, 8/10/18 ("Jordan Goldstein of Selendy & Gay ... led a trial team to victory in Delaware Chancery Court on behalf of hedge fund Mudrick ... [and] succeeded in blocking [the] proposed merger between Globalstar Inc. and FiberLight").

- *Frontline, Ltd. v. DHT Holdings, Inc.*: In parallel proceedings in New York and the Marshall Islands, represented Frontline in its attempted takeover of DHT Holdings. Frontline sought to force DHT's board of directors, based on their *Revlon* and *Unocal* duties, to redeem a poison pill and remove other entrenchment measures that the DHT board had allegedly enacted to deter bidders.
- *Assured Guaranty Municipal Corp. v. JPMorgan Chase Bank; Syncora Guarantee Inc. v. Jefferson County, Ala.*: In New York Supreme Court, defeated motions to dismiss claims of two monoline insurers against JPMorgan and Jefferson County, Alabama in suits alleging fraud in connection with the procurement of municipal bond insurance and seeking hundreds of millions in damages for past and future claims payments.
- *Kearny Investors S.A.R.L. v. Goldman Sachs & Co.*: In Southern District of New York, represented multiple KKR funds against Goldman Sachs and other investment banks based on alleged violations of federal and state securities laws arising from the issuance of SunEdison securities.
- *Article 77 Proceedings re Countrywide and JPMorgan Settlements*: In New York Supreme Court, represented investor AIG in proceedings initiated by RMBS trustees over the distribution methodology of \$8.5 billion settlement with Bank of America and \$4.5 billion settlement with JPMorgan.
- *MBIA Ins. Corp. v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*: In New York Supreme Court, represented monoline insurer MBIA in obtaining confidential settlement in multi-billion-dollar action concerning credit default swaps and financial guaranties written by Merrill Lynch on CDOs.
- *SemGroup Adversary Proceedings*: In Delaware Bankruptcy Court, represented the SemGroup Litigation Trust, instituted following SemGroup's bankruptcy, in obtaining confidential settlement of claims against entities and individuals who allegedly orchestrated fraudulent transfers and breaches of fiduciary duties.
- *In re Treasuries Securities Auction Antitrust Litigation*: In Southern District of New York, served as co-lead class action counsel in suit alleging violations of Sherman Antitrust Act based on collusion by Goldman Sachs, JPMorgan, Bank of America and



market participants in the \$14 trillion primary and secondary markets for U.S. Treasuries.

Jordan earned his J.D., *magna cum laude*, from Harvard Law School and his M.B.A. with honors from Harvard Business School. He clerked for The Honorable Alex Kozinski of the U.S. Court of Appeals for the Ninth Circuit. Jordan subsequently served in the U.S. Department of Justice, first in the Office of Legal Counsel, advising on a range of sensitive criminal and civil matters, and then as Special Counsel to the Assistant Attorney General of the National Security Division, supervising and acting as trial and appellate counsel in multiple high-profile trials and proceedings.