

## LAURA-MICHELLE HORGAN

### Partner



Laura-Michelle Horgan handles all aspects of litigation in federal and state courts, with a concentration on commercial business disputes, white-collar criminal defense, intellectual property disputes, and other complex litigation matters. Laura-Michelle regularly represents public and private corporations, financial institutions, a major energy supplier, media conglomerates, sports leagues, well-known consumer product companies, and leading internet companies.

Laura-Michelle has over fifteen years of trial experience, as well as arbitrations, mediations, and administrative proceedings. She has brought numerous matters to highly successful conclusions for her clients including obtaining and collecting on multi-million dollar judgments on contract and fraud claims brought on behalf of her clients, as well as swift dismissal of claims brought against them. Laura-Michelle also regularly obtains highly favorable settlements when that is the most practicable solution for her clients.

Laura-Michelle has substantial experience in bringing and defending civil fraud claims, conducting internal investigations, and issuing advisory opinions on compliance with securities law. She has led internal investigations of publicly traded companies and not-for-profit institutions. As part of her white collar defense practice, Laura-Michelle has represented clients in matters prosecuted by the Department of Justice, including alleged securities fraud, tax fraud, and Foreign Corrupt Practices Act violations. Her experience includes representing clients at interviews, depositions, proffer sessions, hearings, and grand jury appearances. Together with the Firm's corporate team, Laura-Michelle also represents mid-size companies in general corporate matters.

Prior to joining Barton, Laura-Michelle was a member of Gage Spencer & Fleming LLP in Manhattan where she handled all aspects of white-collar criminal, regulatory and complex commercial litigation matters.

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## Contact

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## Education

Brooklyn Law School, J.D., 2002

New York University, College of Arts and Sciences, B.A. Politics, *cum laude*, 1998

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## Practice Areas

Commercial Litigation

Intellectual Property

White Collar Regulatory Enforcement

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## Bar & Court Admissions

State of New York, 2003

Southern District of New York, 2003

Eastern District of New York, 2009

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## Professional Affiliations

Federal Bar Council, 2005 – present

Westchester County Bar Association, 2013 – 2017

Westchester Women's Bar Association, 2013 – 2017

## Publications

“Copyright Liability for Foreign Internet Broadcasters Who Fail to Geoblock.” *New York Law Journal*. (May 4, 2018).

“Double Entendres, Intentional Misspellings, and Descriptive Marks.” *New York Law Journal* (May 15, 2017).

“Expert Analysis: Use of Foreign Language Words and Phrases as Trademarks.” *New York Law Journal*. (September 27, 2016).

## Representative Matters

- Representing clients in investigations and prosecutions by the Department of Justice, including alleged securities fraud, tax fraud, and Foreign Corrupt Practices Act violations. Experience includes representing clients at interviews, depositions, proffer sessions, hearings, and grand jury appearances.
- Handling matters before the SEC from inception through to completion, including responding to subpoenas, witness interviews, depositions, Wells submissions, preparation for trial, and settlement negotiations.
- Representing clients in FINRA and other arbitration matters. Among other matters, Ms. Horgan represented a leading hedge fund in a dispute with a major bank regarding the distribution of trust assets pursuant to written agreement, and obtained multi-million dollar settlement in an arbitration proceeding before former federal judge.
- Representing companies in internal investigations of alleged securities laws violations. Ms. Horgan’s experience includes collecting documents, taking testimony from witnesses, drafting internal reports, and reporting to the SEC at the direction of the company’s board.
- Conducting an internal investigation of alleged violations of the False Claims Act and Anti-Kickback Statute by health care institution. Collected and analyzed documents, took testimony from witnesses, drafted reports, and reported to institution’s Board of Trustees.
- Defeating a motion to dismiss federal claims for copyright infringement, trade dress infringement, false advertising, unfair competition, and unjust enrichment brought on behalf of a top internet retailer against a competitor company.
- Obtaining dismissal of a lawsuit against the owner and licensor of a well-known, high-end restaurant brand for an alleged violation of the New York Franchise Sales Act on a motion to dismiss.

## Representative Matters (cont'd)

- Obtaining dismissal of a lawsuit for specific performance of a real estate purchase and financing contract on a motion to dismiss.
- Defeating a motion to dismiss an unjust enrichment claim brought by a major marketing agency against an investment company that allegedly took over the operations of a creditor and continued business operations as an alter ego.
- Prosecuting employee raiding claims brought by a leading consumer products corporation against a competitor in a two week civil trial; obtained a multi-million dollar jury award.
- Representing major New York-based media corporations and sports leagues in connection with a wide variety of civil matters brought by and against them in Federal and State courts.