



## Benjamin Cooper

Lawyer

### NEW YORK

800 Third Avenue  
New York, New York  
10022  
+1 646 448 6226

[benjamin.cooper@kobrekim.com](mailto:benjamin.cooper@kobrekim.com)

Benjamin Cooper is an experienced civil lawyer who represents institutional and individual clients in complex commercial litigation and investigations. Mr. Cooper has experience in all stages of federal and state litigation, including matters involving consumer class action litigation, commercial contracts, shareholder litigation, bankruptcy, and criminal law.

Before joining Kobre & Kim, Mr. Cooper practiced at Kirkland & Ellis LLP, focusing on commercial litigation and commercial arbitration. He was an Alexander Fellow for the Honorable Nicholas G. Garaufis of the U.S. District Court for the Eastern District of New York.

### Admissions

- New York
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

### Education

- Benjamin N. Cardozo School of Law, JD, *magna cum laude* (Order of the Coif) (*Cardozo Law Review*, Notes Editor)
- Hampshire College, BA

### Clerkships

- Honorable Nicholas G. Garaufis, U.S. District Court for the Eastern District of New York

### Accolades

Cornelius W. Wickersham Award  
Jacob Burns Medal

### Select Engagements

#### Special Situations Disputes

- Representation of investment funds in litigation over improper servicing of securitized loans.

# KOBRE & KIM

- Representation of whistleblower in tax court proceedings.
- Representation of McKinsey and Company related to the highly publicized civil RICO claims brought against it by the founder of AlixPartners in the U.S District Court for the Southern District of New York.

## **Government Enforcement Defense**

- Representation of CEO and founder of private equity firm in defending against DOJ and SEC investigations involving claims of securities fraud, wire fraud, and conspiracy charges.
- Representation of individual traders in defending against a CME investigation involves claims of illegal “spoofing” and manipulation in relation to numerous financial products and markets.
- Representation of a proprietary trading firm in responding to allegations of illegal “front-running” activity in relation to U.S. Treasury futures and options on the Chicago Board of Trade exchange.

## **Commercial Litigation and Arbitration**

- Representation of a leading healthcare company in prescription opioid-related lawsuits and investigations pending in multiple jurisdictions across the country.

## **Insolvency Disputes and Investigations**

- Representation of Chapter 7 trustee in connection with adversary proceedings relating to various preferential transfers and turnover claim.

## **Publications & Presentations**

- Author, “An Uncertain Privilege: Reexamining Forty Years of *Garner v. Wolfenbarger* and Its Effect on the Attorney-Client Privilege” (*Cardozo Law Review*, 2014).