



Melanie L. Oxhorn

Of Counsel

NEW YORK

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Melanie L. Oxhorn focuses her practice on complex commercial litigation, including financial products and services, internal investigations, asset forfeiture and recovery, and intellectual property litigation.

She has extensive experience in both briefing and arguing complex appellate matters in the U.S. Court of Appeals for the Second Circuit, the New York Court of Appeals and all of the lower New York appellate courts. Over the course of her career, she has briefed well over a hundred appeals and personally argued over 30 of those.

Before becoming of counsel at Kobre & Kim, Ms. Oxhorn spent more than six years in the New York State Attorney General's Office's Appeals & Opinions Division, where she was awarded a commendation by then-Attorney General Eliot Spitzer for winning some of the most challenging cases in that division during her tenure there.

Prior to joining the New York State Office of the Attorney General, Ms. Oxhorn practiced for two years in the small Appellate and Supreme Court group at Mayer Brown in New York, which was one of the first large firms in the U.S. to have such a specialized practice predominantly aimed at Second Circuit and New York state appeals.

Prior to working at Mayer Brown, Ms. Oxhorn practiced general and commercial litigation at Wachtell, Lipton, Rosen & Katz and in the boutique Supreme Court litigation practice of Laurence H. Tribe, a Harvard Law School professor and constitutional scholar.

After law school, Ms. Oxhorn clerked for then-Chief Judge Jon O. Newman of the U.S. Court of Appeals for the Second Circuit.

Admissions

- New York (1995)
- District of Columbia (1995)
- Massachusetts (1994)
- U.S. Supreme Court (2013)
- U.S. Court of Appeals for the District of Columbia Circuit (2012)
- U.S. Court of Appeals for the First Circuit (2015)
- U.S. Court of Appeals for the Second Circuit (2012)
- U.S. Court of Appeals for the Seventh Circuit (2016)
- U.S. District Court for the District of Massachusetts (2006)
- U.S. District Court for the Northern District of Illinois (2015)
- U.S. District Court for the Southern District of New York (2002)

Education

- Harvard Law School, JD (*Harvard Law Review*, Editor)
- Yale College, BA

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Clerkships

- Honorable Jon O. Newman, U.S. Court of Appeals for the Second Circuit
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Select Engagements

- Representation of DRW Investments LLC in a highly publicized case brought by the U.S. Commodity Futures Trading Commission (CFTC) over alleged market manipulation of interest rate swap futures. After a bench trial in the U.S. District Court for the Southern District of New York, the Court returned a verdict in favor of the defense and against the CFTC on all causes of action.
- Representation of Brian Hunter, the former co-head of energy trading at Amaranth, in connection with an administrative hearing against the Federal Energy Regulatory Commission (FERC) in proceedings involving more than US \$300 million in potential fines and penalties for respondents.
- Representation in connection with multiple litigations in the New York and Florida state and federal courts, and the U.S. Bankruptcy Court for the Southern District of Florida, arising from an alleged breach of a joint venture agreement regarding several real estate investments, involving US \$50 million+ in controversy.
- Protection of a Cayman Islands trust in a high-profile case involving attempted asset freeze and forfeiture by the U.S. and Brazilian governments in connection with allegations of money laundering and tax evasion. The U.S. Court of Appeals for the DC Circuit ruled in favor of our client and declared that the assets in question should be unfrozen immediately.
- Representation of the cash management group of a large publicly owned airline in claims against several broker-dealers for alleged mismanagement of investments totaling US \$500 million+.
- Representation of a commodity futures trading firm in connection with litigation against several clearinghouses and futures and options merchants relating to US \$100 million+ of disputed trades on the Intercontinental Exchange.
- Representation of a government in enforcement of US \$120 million+ judgment against debtors with assets structured in numerous offshore vehicles and shell companies throughout Europe, Asia and offshore jurisdictions.
- Representation of the CEO and president of a publicly traded company charged in a federal district court for securities fraud, money laundering and bribery offense.

Professional & Community Involvement

- New York State Bar Association, Member

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Publications & Presentations

- Co-author, "International Defendants Sued in the US Should Not Overlook Rule 4(m)" (Westlaw, February 2019)