



Zachary D. Rosenbaum

Lawyer

NEW YORK

800 Third Avenue
New York, New York
10022
+1 212 380 2580

zachary.rosenbaum@kobrekim.com

Zachary Rosenbaum is a highly accomplished trial lawyer who represents clients in complex capital markets disputes. He tries jury and non-jury cases, as well as arbitration hearings, in the U.S. and abroad concerning a range of credit instruments, securities, share purchase transactions, and other complex financial arrangements. Mr. Rosenbaum routinely steps into highly specialized situations and inter-creditor disputes, including litigious restructurings and liability management exercises.

Chambers USA has spotlighted Mr. Rosenbaum for the past seven years as one of just a dozen leading litigators in New York representing institutional plaintiffs. *Chambers USA* describes him as a “phenomenal lawyer who has a very strong following with hedge funds”; a “very effective trial lawyer” who “is excellent on his feet”; and “definitely someone you want in your corner.” *Chambers USA* recently added, “his client service and advocacy are way beyond the normal standard.” Mr. Rosenbaum is also recognized for handling “high-value securities matters for institutional investors, banks and broker-dealers.” One market participant described him as “an excellent litigator and trial adversary who has a creative vision to accomplish his client’s goals.”

Mr. Rosenbaum is also recognized by *Benchmark Litigation* as a *National Practice Area Star* and has been named in *Lawdragon’s 500 Leading Litigators in America*. Cases led by Mr. Rosenbaum also significantly contributed to Kobre & Kim being named a 2025 finalist for *The American Lawyer’s Specialty Litigation Department of the Year*.

Mr. Rosenbaum’s recent engagements include lead trial counsel for the minority group in the widely-publicized *Incora* case, which successfully challenged a lien-strip transaction after a seven-month trial and is now on appeal. He was also among the lead trial lawyers in a recent case against AIG stemming from its \$85 billion bailout by the federal government. Additionally, Mr. Rosenbaum represents an Austrian trust, B&C, in cross-border disputes with private equity funds managed by Lindsay Goldberg, relating to an Austrian criminal investigation into one of the country’s largest accounting frauds. And he represents Dutch retailer Hunkemöller and its majority owner in a dispute that spans New York, London and the Netherlands.

Before joining Kobre & Kim, Mr. Rosenbaum was the founder and chair of the capital markets litigation group at Lowenstein Sandler in New York, where he represented investment managers and institutional investors with a focus on securities and structured finance litigation.

Admissions

- New York
- New Jersey
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Southern District of New York

KOBRE & KIM

- U.S. District Court for the Eastern District of New York
 - U.S. District Court for the Northern District of New York
 - U.S. District Court for the Southern District of Texas
-

Education

- New York Law School, JD, *magna cum laude* (New York Law School Law Review, Notes & Comments Editor)
 - University of Maryland, BS
-

Accolades

Chambers USA, Securities: Institutional Plaintiffs (New York) (Band 1)
Chambers USA, America's Leading Lawyers for Business (2019-2023)
Benchmark Litigation, National Practice Area Star
Lawdragon, 500 Leading Litigators in America
Super Lawyers, New York

Select Engagements

Liability Management & Contentious Creditor Disputes

- Representation of prominent Dutch retailer, Hunkemöller, and its largest investor in multi-jurisdictional litigation arising from the company's out-court-restructuring transactions.
- Prosecuted claims on behalf of ad hoc group of originally senior secured bondholders in *Incora* bankruptcy, including funds and accounts managed by BlackRock, JP Morgan Asset Management and Golden Gate Capital, to challenge unauthorized lien-strip transaction undertaken by funds managed by Platinum, SilverPoint, PIMCO and Carlyle.
- Represented equity holders of Travelport in an expedited litigation in New York Supreme Court stemming from the global pandemic's disruption to the global travel industry; the matter involved transactions relating to a US \$ 3.2 billion leveraged loan.
- Acted as lead trial counsel for 46 former AIG Financial Product Corp. employees seeking to recover several hundred million in deferred compensation in the Delaware Bankruptcy Court.
- Acted as counsel to Mainstream Renewable Power Ltd. in highly expedited cross-border bankruptcy and litigation proceedings arising from financing agreements with a mezzanine lender (an affiliate of Ares Management) for Mainstream's renewable energy projects in Chile. The case related to the substantial investments in renewable power sources—e.g., windmill farms—in Chile that were integral to its power grid.
- Represented Marble Ridge Master Fund in a widely publicized adversary proceeding brought by Neiman Marcus and its affiliates in the Neiman Marcus bankruptcy case.

KOBRE & KIM

- Representation of EFG Bank, a leading Switzerland-based private bank, and a number of its affiliates in multiple cases seeking approximately US \$400 million arising from the infamous Madoff Ponzi scheme.
- Won summary judgment, defeating trade secret infringement claims brought in the Southern District of Florida against broker-dealer regarding the creation of a public exchange for transacting repurpose "repo" agreements.

M&A Disputes

- Representing B&C, an Austrian trust, which is the victim criminal accounting fraud under investigation in Austria, stemming from sale of European-based portfolio company of global private equity firm.
- As lead trial counsel for a Chinese insurance company, won a US \$475 million ICC arbitration award against a Fortune 100 U.S. financial institution, AIG, following an eight-day plenary hearing seated in Hong Kong, relating to US \$5 billion cross-border M&A transaction governed by New York law.
- Member of trial team that secured US \$833 million verdict, following a five-week jury trial, on behalf of renewable fuels innovator, Propel, stemming from a terminated acquisition by Phillips 66; the victory is already the most significant trade secret verdict of the past three years and the fifth-largest verdict of any kind in 2024.

Structured Products Disputes

- Prosecuted claims on behalf of The Prudential Insurance Company of America against Morgan Stanley for fraudulent misrepresentation and civil RICO involving the creation and sale of over US \$1 billion of RMBS.
- Won dismissal of a US \$1.875 billion claim brought in New York by financial guarantor FGIC against client IKB Deutsche Industriebank involving a complex array of credit default swaps and underlying CDO assets.
- Represented multiple RMBS trustees in trial and appellate courts, both state and federal, concerning several billion dollars in mortgage repurchase claims.
- Defended claims of ratings fraud in connection with the launch of a US \$2 billion structured investment vehicle.

Professional & Community Involvement

- Advisory Board, Smith School of Business, University of Maryland
- New York County Bar Association Subcommittee on Capital Markets and Hedge Fund Litigation, prior member

Publications & Presentations

KOBRE & KIM

- Speaker, "Liability Management Exercises - Exhausting the Options" (32nd Annual Distressed Investing Conference, December 2025)
- Speaker, "LMEs: Past, Present, & Future" (Wharton Restructuring and Distressed Investing Conference, February 2025)
- Speaker, "Liability Management - Bankruptcy Litigation" (31st Annual Distressed Investing Conference, December 2024)
- Co-author, "Asia-Based Investors in U.S. Commercial Real Estate Can Mitigate Losses by Defending their Legal Rights" (Kobre & Kim, May 2023)
- Co-author, "The End of LIBOR: Near-Term Litigation Over Historical LIBOR 'Fallback' Rates" (*Financier Worldwide*, May 2021)
- Co-author, "Minimizing Litigation Risks From Valuation Disputes During Covid-19" (*Bloomberg Law*, May 2020)
- Co-author, "How the Global Financial Crisis Has Shaped New York Law," (*ABA Business and Corporate Litigation Committee Newsletter*, August 2019)
- Speaker, ABA Business Law Section Annual Meeting 2019, September 2019