



Shawn J. Rabin

Partner

New York

(212) 336-8330

srabin@susmangodfrey.com

Overview

Shawn Rabin, a Susman Godfrey Partner and member of the firm's Executive Committee, is a go-to trial lawyer for high-stakes litigation. Described by one client as "highly strategic and always looking out for his clients' best interests," (Chambers USA 2022), Rabin personally handles all aspects of his cases, from evaluating claims before a complaint is filed to selecting juries and seeing cases through to verdict. Having tried cases all across America—from San Francisco to San Juan—Rabin's creativity and strategic thinking give his clients the extra margin necessary for victory.

In recognition of his success, *Chambers USA* has repeatedly selected Rabin as part of their Leading Practitioner in New York: Litigation General Commercial rankings.

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“His trial work is extraordinary, just exhilaratingly brilliant to watch during trial.”

As quoted in Chambers USA 2022 rankings

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“Shawn Rabin is ‘among the very best litigators I work with He’s extremely hard-working, very responsive and a very reliable partner.”

As quoted in Chambers USA 2020 rankings

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“We’d be lost without Shawn.”

As quoted in Chambers USA 2021 rankings

Rabin is continually recognized by the legal community for his litigation savvy:

- **Chambers USA** included Rabin in their [2020](#), [2021](#), [2022](#) and [2023](#) exclusive rankings of Leading General Commercial Litigators in New York.
- **Lawdragon** included Rabin on the Lawdragon 500 List of the Country's Leading Litigators in [2019](#), [2020](#), [2021](#), [2022](#), and [2023](#), ranked him as a Leading Plaintiff Financial Lawyer in [2019](#), [2020](#), [2021](#), [2022](#), and [2023](#) and named him among its 500 Leading Litigators in [2022](#) and [2023](#).
- The **National Law Journal** named Rabin a Trailblazer for Plaintiff-side Litigation in [2022](#) and [2018](#) and Employment Litigation in [2020](#) (ALM).
- **The Best Lawyers in America®** recognized Rabin as a Top Commercial Litigation Lawyer in New York for Commercial Litigation in [2019](#), [2020](#) and [2021](#). (Woodward White Inc.).
- **Super Lawyers** recognized Rabin as a Super Lawyer in New York from [2019](#) to [2023](#) and previously ranked him as a Rising Star every year from 2007 to 2018 (Thomson Reuters).

And the most unique of his honors, after winning a major trial victory in the state of Kentucky, the Governor of Kentucky appointed Rabin to the Honorable Order of Kentucky Colonels and bestowed upon him the title of "Colonel Shawn Rabin."

In addition to his litigation work, Rabin is frequently sought out by leading publications to opine on and write about today's hottest legal topics. Most recently, he penned an article for *Bloomberg News* called, [Litigation Funding Success Breeds New Set of Ethical Issues](#), where he discussed the rising popularity of litigation funding and offered a proposed solution to some of its pitfalls.

Rabin has a proven track record of success. This includes:

- Representing WeWork founder Adam Neumann against SoftBank after SoftBank withdrew its offer to buy up to \$3 billion in WeWork stock from Mr. Neumann and other shareholders. This lawsuit represents one of the largest individual claims to be litigated this century. The litigation was placed on an expedited schedule in the Delaware Chancery Court. A week before trial, the case settled as reported by media outlets throughout the world. The *New York Times*' coverage of the lawsuit can be accessed [here](#) and [here](#).
- Representing Uber in the nationally covered trial that pitted Google's Waymo against Uber. Just a few months before trial, Rabin and his partner Bill Carmody were hired to represent Uber in a theft of trade secret case that the media called the "[Tech Trial of the Century](#)." Although Waymo sought damages of almost \$2 billion, Rabin and his team got all of Waymo's experts' damages opinions struck. The case settled two trial days before Rabin's cross-examination of the star witness Anthony Levandowski.

- Winning a federal jury trial in the Southern District of New York for client General Electric in a breach of contract dispute with the Nebraska Investment Finance Authority over how many years an investment contract required GE to pay interest. After deliberating for two hours, the jury returned a verdict in favor of Rabin's client valued at over \$160 million.
- Winning a federal bench trial in the District of Puerto Rico while representing the world's largest retailer, who was challenging a local tax as violating the Dormant Commerce Clause and the Equal Protection Clause. The federal district judge agreed with Rabin, striking down the statute in a decision that was front-page news across the country. The U.S. Court of Appeals for the 1st Circuit—where Rabin coincidentally served as a law clerk over a decade earlier—unanimously affirmed.
- Strategically defeating several class actions on a motion to dismiss — Rabin was lead trial counsel for Trover Solutions in several class actions filed across the country relating to insurance subrogation. Rabin developed an approach to get the cases dismissed by knocking out the named plaintiff's claims before class certification. Several of the cases were then appealed and the U.S. Court of Appeals for the 3rd Circuit where they were unanimously affirmed.
- Arguing an appeal to an en banc panel of the Delaware Supreme Court — Rabin was hired to argue and draft the appellate brief on behalf of the former stockholders of Harmonix Music Systems against Viacom in an appeal involving Viacom's acquisition of Harmonix and the Guitar Hero and Rock Band video games. The Delaware Supreme Court affirmed the lower-court judgment.
- Representing Jerry Moyes against the National Hockey League in his legal battle involving the Phoenix Coyotes — Rabin secured a ruling significantly reducing the \$140,000,000 in potential damages sought by the National Hockey League against Jerry Moyes and his family stemming from their ownership of the Phoenix Coyotes hockey team.
- Representing The Rawlings Company in a high stakes jury trial where, after presenting three-weeks of evidence to a jury in Oldham County, Kentucky, Rabin helped secure a complete defense victory in what was one of the first wage-and-hour class actions to go to trial in Kentucky.

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“He is just technically exceptional, strategically impressive, and has the right temperament for dispute.”

As quoted in Chambers USA 2023 rankings

*Notable
Representations*

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Representative Cases

- In 2020, Rabin was hired by WeWork founder Adam Neumann to serve as counsel for one of the largest individual claims to be litigated this century as part of a multi-firm trial team after SoftBank withdrew its offer to buy up to \$3 billion in WeWork stock from Mr. Neumann and other shareholders. The litigation was placed on an expedited schedule in the Delaware Chancery Court. In 2021, a week before trial was set, the case settled as reported by media outlets throughout the world. The *New York Times*' coverage of the lawsuit can be accessed [here](#) and [here](#).
- In 2018, Rabin and his partner Bill Carmody were hired months before trial to represent Uber in its legal battle against Google/Waymo. Although Waymo sought damages of almost \$2 billion, Rabin and his team got all of Waymo's experts' damages opinions struck. The case, being litigated before a federal jury in San Francisco, settled two trial days before Rabin's cross-examination of the star witness Anthony Levandowski.
- In 2017, Rabin successfully tried a contract case before a jury in the Southern District of New York on behalf of General Electric. Rabin handled the direct examination of the liability experts and cross-examined the defendants' main fact witness. The jury returned a verdict in favor of GE valued at more than \$160 million.
- In 2016, Rabin became one of the few lawyers to win a constitutional challenge to a tax statute. As counsel to a major retailer, Rabin and his partners tried a case in San Juan, Puerto Rico, challenging a tax as violating the Dormant Commerce Clause and the Equal Protection Clause. After a week-long bench trial, the trial judge agreed and struck down the statute in a decision that was front-page news across the country. The First Circuit Court of Appeals later affirmed the decision.
- In 2015, Rabin and his partners were hired by GE Mortgage Holdings as trial counsel for a case that had been pending for many years. The plaintiffs claimed they were owed almost \$1 billion in damages. Rabin and Susman Godfrey were hired months before trial and quickly learned the case, developed a strategy for how to win at trial, and filed key pre-trial motions that decimated the plaintiffs' case. After winning the most important pre-trial motions, Rabin's client settled for a confidential sum a week before trial.
- In 2015, Rabin was the lead lawyer for Trover Solutions in a putative class action filed in the United States District Court for the Eastern District of Pennsylvania. Rather than fight the class allegations, Rabin developed a strategy that successfully knocked out the named plaintiff's claim before class certification. The case was then appealed to the Third Circuit where Rabin's client once again prevailed. See *Mallon v. Trover Solutions Inc.*, No. 14-3189 (3rd Cir. 2015).
- In 2014, Rabin was the lead lawyer for Dental One Partners, one of the nation's largest dental service management organizations in the country. Dental One was involved in a complex, multi-party dispute in North Carolina relating to whether certain conduct could be classified as the

practice of dentistry. Recognizing that the best solution was not cut-throat litigation, Rabin organized all of the plaintiff and defendant lawyers so that all sides could develop a winning solution outside of the courtroom. After months of negotiation, a resolution was reached without taking a single deposition.

- In 2013, Rabin was hired to argue and draft the appellate brief for a case pending before an en banc panel of the Delaware Supreme Court. Rabin represented the former stockholders of Harmonix Music Systems against Viacom in an appeal involving Viacom's acquisition of Harmonix and the Guitar Hero and Rock Band video games. The Delaware Supreme Court affirmed the lower-court judgment in a published opinion that can be accessed here: *Winshall v. Viacom Intern. Inc.*, 76 A.3d 808 (Del. 2013) (en banc).
- In 2013, Rabin helped secure a ruling significantly reducing the potential damages sought by the National Hockey League against Rabin's client. In that case, the NHL sued Jerry Moyes and his family stemming from their ownership of the Phoenix Coyotes hockey team and sought more than \$140,000,000 in damages. The case was originally filed in New York state court. Rabin devised a successful plan to have the case removed from New York state court to New York federal court to Arizona federal court and then to an Arizona Bankruptcy court. After successfully moving the case back to Arizona, Rabin took and defended the key depositions in the case and then successfully moved for summary judgment eliminating most of the NHL's claims. An article discussing the decision can be accessed here.
- In 2012, Rabin was hired by a world-renowned surgeon to represent him in cases pending in federal court and arbitration against a medical device manufacturer. As lead trial counsel, Rabin formulated the trial strategy, took and defended the key depositions, and handled most of the direct and cross-examinations at trial. The lawsuits resulted in a confidential settlement after trial.
- In 2012, Rabin was hired by a widow to defend a multi-million dollar will contest that was filed by the deceased husband's children. After taking key depositions, winning several rulings before the Probate Court, and devising a strategy to prove the deceased had the proper mental capacity to execute his will, Rabin was able to position the case for a confidential settlement before trial.
- In 2012, Rabin was hired by Trover Solutions to defend a putative class action filed against it and several insurance companies in federal court in the Southern District of New York. The case involved whether New York law prohibited placing liens on personal injury or wrongful death settlements. After extensive briefing and argument, Judge Patterson dismissed all of the Plaintiffs' claims resulting in a total victory for Rabin's client. The published decision can be accessed here: *Meek-Horton v. Trover Solutions, Inc.*, 915 F.Supp.2d 486 (S.D.N.Y. 2013).

- In 2011, Rabin won a defense verdict on behalf of The Rawlings Company in a class action challenging the company's classification of its employees as exempt from the overtime laws. During the three-week jury trial in Kentucky state court, Rabin picked the jury, handled the direct examinations of many of the company's witnesses—including the company's top executive—and cross-examined Plaintiffs' witnesses. This complete victory for Rabin's client was achieved in one of the first wage and hour class actions to go to trial in Kentucky. The verdict was featured in the [American Lawyer here](#) and [Law360 here](#).
- In 2010, Shawn Rabin was hired by a family to represent them in a shareholder oppression case. Rabin engineered a strategy that placed the family in the best litigation position without harming the company in which they owned substantial shares. Rabin's outside-the-box approach led to an arbitration and then a confidential settlement.
- In 2009, Shawn Rabin represented an international company against a subsidiary of a large New York bank in a contract dispute regarding the failed purchase of a company. Rabin briefed the crucial motion to dismiss and handled preparing the case for expedited discovery and trial. Shortly after Rabin filed the response to the Motion to Dismiss, the defendants chose to settle the case—a substantial victory for Rabin's client.
- In 2008, Shawn Rabin tried a patent infringement case before the Honorable Judge T. John Ward and a jury in the Eastern District of Texas for their client C2 Communications. The case involved whether the nation's largest telecommunication carriers infringed a voice over internet protocol (VoIP) patent. The case settled after the third day of trial, following the close of C2's case-in-chief and Rabin's direct examination of the patent's owner and C2's damages expert.
- In 2008, Bill Carmody and Shawn Rabin settled a lawsuit involving a horrific drunk driving collision. In 2005, a drunk driver struck a hotel van transporting a family to the airport. A young girl was killed and members of the family were severely injured. Rabin performed an extensive investigation before filing suit to determine exactly how and where the drunk driver became intoxicated. This pre-complaint investigation resulted in confidential settlements with some of the wrong-doers. Rabin then filed a complaint against the two bars where the drunk driver had consumed alcohol. All of the defendants chose to settle after Rabin took damaging depositions of the key witnesses. The value of these significant settlements are confidential.
- In 2008, Brian Melton and Shawn Rabin represented a defendant against claims that it wrongfully terminated its former CEO. After several rounds of discovery and several victories before the trial court judge, the opposing party agreed to settle the case for a minimal amount.
- In 2007, Shawn Rabin spent almost one-quarter of the year in trial defending a large company against a wage and hour class action. Rabin performed the direct and cross examination of more than a dozen fact and

expert witnesses. A description of Rabin's cross-examination of the first trial witness was published by news services across the world.

- In 2005 and 2006, Shawn Rabin represented a Fortune 100 company in a highly confidential accounting dispute against a major accounting firm. The allegations in the case included breach of fiduciary duty, breach of contract, and accounting malpractice. Before filing a lawsuit, both parties agreed to brief the issues before a former Texas Supreme Court Justice. Rabin took the lead for Susman Godfrey's client and, after several months of negotiation, the parties reached a favorable settlement.
- In 2004, Shawn Rabin achieved a key victory in a case representing a class of residential and business customers against the major telecommunications companies, including Sprint and AT&T by writing the winning briefs in an appeal before the United States Court of Appeals for the Tenth Circuit. The claims against AT&T eventually proceeded to a jury trial in which Susman Godfrey successfully obtained a favorable jury verdict (news article can be accessed [here](#)).

Honors & Distinctions

- Leading Practitioner in New York: Litigation: General Commercial, *Chambers USA* (2020-2023)
- *Lawdragon* 500 Leading Litigator ([2022](#), [2023](#))
- Litigation Star, Benchmark Litigation ([2023](#), Euromoney)
- Plaintiffs' Lawyers Trailblazers, *National Law Journal* ([2022](#), [2018](#), ALM)
- Employment Law Trailblazer, *National Law Journal* (2020, ALM).
- *Lawdragon*, 500 Leading Lawyers ([2023](#), [2022](#), [2021](#), [2020](#), [2019](#))
- *Lawdragon*, 500 Leading Plaintiff Financial Lawyers ([2023](#), [2022](#), [2021](#), [2020](#), [2019](#))
- Impact Case of the Year Award, *Benchmark Litigation* (2019)
- Recommended Litigator – New York for Commercial Litigation, *U.S. News – The Best Lawyers in America®* ([2021](#) [2020](#), [2019](#), Woodward White Inc.)
- 40 and Under Hot List, *Benchmark Litigation* ([2018](#), [2017](#), Legal Media Group)
- *New York Super Lawyer* – an honor awarded to the top 5% of lawyers in the New York Metro area ([2019](#) – [2023](#) Thomson Reuters)
- New York Rising Star, *Super Lawyers – an honor awarded to the top 2.5% of lawyers in the New York Metro area* (2007 – 2018, Thomson Reuters)
- Fellow, Texas Bar Foundation.

- In 2011, the Governor of Kentucky appointed Shawn Rabin to the Honorable Order of Kentucky Colonels and bestowed upon him the title of "Colonel Shawn Rabin."

Clerkships

Clerked for the Honorable Juan R. Torruella, United States Court of Appeals for the First Circuit

Education

The University of Texas School of Law (J.D.,)

- Distinctions of Chancellor and Order of the Coif
- Associate Editor of the *Texas Law Review*

Georgetown University (B.A., International Politics and Security, with Honors)

- School of Foreign Service
- Dean's Citation given to a graduate who displays high academic achievement and service to the community

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Admissions

Bar Admissions

- Texas
 - New York
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Court Admissions

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas

Wins

Susman Godfrey Wins Defense Verdict for The Rawlings Company in Employment Class Action

Court Rejects NHL's Claims Against Former Phoenix Coyotes Owner Jerry Moyes

Delaware Chancery Court Finds in Favor of Private Equity Partner In High Stakes Compensation Dispute

Leadership & Professional Memberships

- Shawn Rabin is admitted to the state courts of New York and Texas and the United States Court of Appeals for the 1st, 5th and 10th Circuits and the United States District Courts for the Northern, Southern, Eastern, and Western Districts of Texas.
- Rabin works with a variety of legal organizations in their efforts to help the public. Most recently, Rabin has been assisting Mothers Against Drunk Driving (MADD) by training volunteers on civil litigation. Rabin was also quoted extensively in the Winter 2009 issue of the MADDvocate, which can be accessed [here](#).
- Rabin is also an active member of the Litigation Committee of the New York City Bar and is a Barrister in the New York American Inn of Court.