



Stephen Shackelford

Partner

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Overview

On the afternoon of April 18, 2023, Stephen Shackelford was pacing back and forth before an empty jury box in an otherwise packed Wilmington, Delaware courtroom. He was set to give the opening statement on behalf of Dominion Voting Systems in its groundbreaking defamation lawsuit against Fox News and Fox Corporation. Having been tapped by Dominion as co-lead counsel just a little over two years earlier, Shackelford and his Susman Godfrey team had crammed four or more years' worth of litigation into two years' time, relentlessly pushing to get the documents and deposition testimony that made Dominion's case so strong while not letting the trial date slip. The parties had picked a jury and were ready to go.

[Click here to see Shackelford interviewed on MSNBC's Morning Joe about the historic \\$787.5 million settlement with Fox News.](#)

It was not to be. Instead, Dominion secured a \$787.5 million settlement with Fox, believed to be the largest defamation settlement in U.S. history. The Susman Godfrey legal team, working closely with talented co-counsel and a deeply involved and invested client, had secured both accountability and some measure of justice for Dominion. In legal filings in the months leading up to trial, the team exposed the truth of what went on at Fox in the weeks and months after the 2020 election, when Fox was publicly broadcasting horrible lies about Dominion while privately mocking those same lies and the individuals promoting them. The monetary settlement, as Shackelford explained at a press conference, was itself a critical form of accountability.

The case, and the settlement, made waves in the national media, receiving attention from The New York Times, The Washington Post, The Wall Street Journal, Reuters, and NPR, among other leading news outlets. Shackelford was interviewed by MSNBC's Morning Joe and MSNBC's The Katie Phang Show (among other outlets) to discuss the milestone deal. He and his SG co-lead counsel were named Litigators of the Week by Law.com and Entertainment and Media Litigation MVP's by Law360 for the result. *Mediaiate*,

in its year-end story, Most Influential in News Media 2023, called Dominion the #1 “most influential in news media” and said “2023 was a year of chaos for the news industry; it may be remembered far more by the tribulations faced by major players than their victories. ***Of all those, one towered over the others: Dominion Voting Systems and its defamation suit against Fox News. In the end, a voting technology company slayed and humbled an American media titan.***”

Shackelford continues to serve as co-lead counsel for Dominion’s related defamation lawsuits against Rudy Giuliani, Sidney Powell, Mike Lindell and MyPillow, Patrick Byrne, One America News Network (OAN), and Newsmax. In these matters, he and his team have already secured several important judicial victories, including defeating motions to dismiss by all these defendants, and securing dismissal of various counterclaims filed by some of them. Click [here](#) to see Shackelford interviewed on CNN in 2021 about the cases.

The Dominion cases are the latest in a series of major cases Shackelford has litigated and tried in federal and state courts across the United States. He has secured recoveries worth hundreds of millions of dollars for plaintiffs and protected defendants from billions of dollars in potential exposure.

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“Stephen is one of the most talented lawyers I’ve worked with: a creative thinker, a wise counselor, a great strategist who’s equally great and rigorous with the details. But with all that said, what’s most important about Stephen is the extraordinary degree to which he embraced my cause, and my company’s cause, as his own—a profoundly consequential cause involving my life’s work and of great strategic importance to my company. He lived it with me, was devoted day in and day out. He had the rare ability to make my cause his own while maintaining independence of thought and action. Stephen always gave me honest, direct, frank advice. He always made the time to hear me out, to really listen, and thoughtfully challenged every time it was warranted. But then invariably he’d push forward—push our cause forward—with passion and determination. And just as importantly, while he always fought hard, he also always fought honorably, fairly, and respectfully. An excellent and passionate lawyer, and a fundamentally decent and honorable human being: that, to me, is everything I want in a lawyer, and it’s why if the need arose I would immediately turn to Stephen again—because I trust him.”

Dov Seidman, Founder and Chairman, LRN; Founder and Chairman, The How Institute for Society

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“Stephen is a superbly talented lawyer. I worked extensively with him and marveled at his thoroughness, his creativity and his doggedness.

He is an outstanding writer and thinker, gifted as well on his feet. He also has character with a capital C, honest and principled.”

Brackett B. Denniston, former Senior Vice President and General Counsel of the General Electric Company; current Senior Counsel, Goodwin

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“Stephen represented one of our funds in a complicated securities fraud case. We were very pleased with Stephen’s representation – especially his strategic advice throughout the case as well as his thorough understanding of the complex factual and legal details involved. Stephen’s hard work paid off as we achieved a favorable result. We look forward to working with Stephen on our next high stakes litigation matter.”

Rob Derivaux, General Counsel, Q Investments

UNIQUE BACKGROUND

After finishing first in his class at Harvard Law School and clerking for Justice Stephen Breyer on the U.S. Supreme Court, Shackelford knew he wanted to pursue a career as a stand-up trial lawyer. Litigation is his specialty—taking on and winning complex, high-stakes cases on both sides of the “v” across many different practice areas: business disputes (including breach of contract), torts (including breach of fiduciary duty, securities fraud and other fraud, RICO, tortious interference with contract, and defamation and libel), the False Claims Act, intellectual property (including patents, trade secrets and trademarks), insurance coverage disputes, and class actions.

In 2012, a year after Shackelford became a Susman Godfrey partner, he was hired to serve as Special Counsel to the General Counsel at the General Electric Company. Shackelford’s three-year stint working at one of the world’s greatest in-house legal departments yielded an invaluable education on what the most sophisticated and discerning clients look for in outside counsel. This experience dovetailed with Shackelford’s pre-law school career as an entrepreneur, providing Shackelford with a unique perspective on business and its relationship with the law, and directly impacting his effectiveness in the courtroom.

EFFECTIVE APPROACH

Shackelford is a savvy litigator, strategic trial lawyer and relentless advocate for his clients. Clients, colleagues, and even adversaries appreciate his attention to detail, rigorous analytical skills, and ability to identify and focus on what is critical to achieving a case’s core objectives. Shackelford proves time and again that he can adapt to curveballs, overcome challenges, and exploit opportunities.

Shackelford runs his cases with an emphasis on three key principles:

- *Efficiency* – Shackelford focuses on what is outcome determinative and does not waste time on sideshows, especially in discovery.
- *Transparency* – Shackelford will always give candid advice, even when it may not be the advice the client wants to hear.
- *Flexibility* – Shackelford is not deterred when an unexpected issue arises. As one of his long-time mentors often says, when something bad happens, do not run from it, but “embrace it and reframe it.” Figure out a way to turn the bad into the good.

PROMINENT MATTERS

Shackelford’s recent matters include:

- ***GE v. Nebraska Investment Finance Authority (NIFA)***. Won a jury verdict from which General Electric received relief valued at over \$100 million in a dispute with the Nebraska Investment Finance Authority over an investment contract involving payments at substantially above-market interest rates. Successfully argued the verdict on appeal before the Second Circuit. *See GE Funding Capital Markets Services, Inc. v. Nebraska Investment Finance Authority*, 767 Fed. App’x 110 (2d Cir. 2019).
- ***R2 Investments, LDC v. Quorum Health Corporation, et al.*** Secured favorable settlements in a securities fraud case against two sets of defendants on behalf of R2, an investment fund affiliated with the private investment firm Q Investments.
- ***Sabre, Inc. v. The Insurance Company of the State of Pennsylvania et al.*** Hired months before trial to represent the worldwide travel technology leader in a \$100 million insurance coverage dispute. Successfully settled the case on the eve of trial.
- ***United States ex rel. Lutz et al. v. Laboratory Corp. of America Holdings***. Secured \$19 million settlement with Laboratory Corp. of America on behalf of two whistleblower clients. In this False Claims Act case, our clients alleged that the lab testing giant was part of a conspiracy to pay kickbacks to doctors, in order to induce the doctors to order blood tests from two other companies.
- ***Dov Seidman and LRN Corporation v. Chobani, LLC and Droga5, LLC***. Represented LRN and its founder, Dov Seidman, in a lawsuit against William Morris Endeavor Entertainment, LLC, Droga5, LLC, and Chobani LLC, asserting claims related to Mr. Seidman’s and LRN’s “How” philosophy and platform and the “How Matters” campaign that advertising agency Droga5 created for Chobani in 2013, which launched in 2014 and concluded in 2015. Secured a favorable settlement for Seidman and LRN

on the eve of trial. Chobani withdrew its application for a trademark for “How Matters.”

- ***Bank of New York Mellon solely as Trustee for GE-WMC Mortgage Securities Trust 2006-1 v. WMC Mortgage, LLC and GE Mortgage Holding, L.L.C.*** Defended GE Mortgage Holding in a subprime lending lawsuit where the plaintiff claimed nearly \$1 billion in damages. Co-wrote key pretrial motions that the judge granted, which decimated the plaintiff's damages case and led to a confidential settlement a week before trial.
- ***Bacon v. Nygard.*** Represents hedge fund founder, Louis Bacon, in ongoing defamation lawsuit against Canadian fashion mogul Peter Nygard, seeking to make Nygard pay for the massive “smear campaign” he orchestrated against Mr. Bacon. In addition to the main case pending in New York state court, represented Mr. Bacon in a series of other satellite litigation brought by Nygard or Nygard proxies.
- ***Swiss Re v. GE.*** Represented GE in a lawsuit in New York state court concerning a highly complex dispute over a tax indemnification agreement signed as part of Swiss Re's \$6.8 billion purchase of GE's reinsurance business in 2005.

COMMUNITY INVOLVEMENT

Shackelford serves on the Advisory Board of Markup, an early-stage start-up focused on building smart and secure ways for people to create, manage, influence, and analyze public policy.

Honors & Distinctions

- Top 100 Trial Lawyers in America, Benchmark Litigation (2024, Euromoney)
- Finalist, Attorney of the Year, *New York Law Journal* (2023, ALM)
- Media & Entertainment Litigation MVP, *Law360* (2023)
- *Lawdragon* 500 Leading Plaintiff Financial Lawyer (2023)
- Litigator of the Week, Law.com (2023, ALM)
- *Lawdragon* 500 Leading Litigator (2022, 2023)
- Future Star, Benchmark Litigation (2022, 2023 Euromoney)
- Super Lawyer, New York Super Lawyer – an honor awarded to the top 5% of lawyers in New York (2019 – 2023, Thomson Reuters).
- Rising Star, New York Super Lawyers – an honor awarded to the top 2.5% of lawyers in New York under the age of 40 (2017, Thomson Reuters)
- Rising Star, Texas Super Lawyers – an honor awarded to the top 2.5% of lawyers in Texas under the age of 40 (2010 – 2012, Thomson Reuters)

- Fay Diploma recipient, 2005 (for graduating first in class at Harvard Law School)
- Sears Prize recipient, 2003 & 2004 (earned one of the top two GPAs in the law class)
- Articles Editor, *Harvard Law Review*, Vol. 118

Clerkships

Honorable Michael Boudin, United States Court of Appeals for the First Circuit, 2005-2006

Honorable Stephen Breyer, Supreme Court of the United States, 2006-2007

Education

Harvard Law School (J.D., magna cum laude, 2005)

- Graduated first in class

Harvard University (A.B., History and Literature, , 1999)

Admissions

Bar Admissions

- Texas
- New York
- Virginia

Wins

\$19 Million Settlement In Non-Intervened South Carolina False Claims Act Case Against Laboratory Corporation Of America

Susman Godfrey Secures Second Ruling Striking Down No Surprises Act Regulations

Two Pro Bono Victories In One Day For Susman Godfrey Co-Managing Partner Neal Manne

Court Awards \$42.4 Million Against State of Indiana – Victory on Behalf of Indiana State Employees Believed to Be Among Largest Class Action Judgments Against State in History

Jury Awards \$178.7 Million Against NL Industries, Inc.

Susman Godfrey L.L.P. Wins Appeal in Cable Antitrust Class in Third Circuit

Fox News to Pay \$787.5 Million to Settle Defamation Claims Brought by Susman Godfrey Client, Dominion Voting Systems

Susman Godfrey Secures \$203 Million Win for Louis Bacon in Defamation Suit Against Peter Nygard

Leadership & Professional Memberships

- Federal Bar Council American Inn of Court
- Shackelford also serves on the Advisory Board of Markup, an early-stage start-up focused on building smart and secure ways for people to create, manage, influence, and analyze public policy.
- In his hometown of Westport, Connecticut, Shackelford is an elected member of the Representative Town Meeting ("RTM"), which is the legislative body of the Town.