



## ANDREW S. GEHRING

### Of Counsel

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**Andrew Gehring represents national and multinational businesses in bet-the-company cases—including class actions—involving commercial and contractual disputes, mass torts, and professional liability. He has represented more than 100 clients in jurisdictions across the United States.**

### EDUCATION

New York University School of Law, J.D., 2009, *magna cum laude*, Order of the Coif, Senior Executive Editor, NYU Journal of Law & Liberty

Amherst College, B.A., 2006, *cum laude*

### GOVERNMENT SERVICE

Law Clerk to The Honorable Naomi Reice Buchwald, United States District Court for the Southern District of New York

### OTHER EXPERIENCE

Davis Polk & Wardwell LLP

### ADMISSIONS

Colorado  
New York

### HIGHLIGHTS

- Won a hearing for the majority owners of an ethanol production company to defeat a preliminary injunction attempt and completely unwind an *ex parte* ruling that the company's minority owners obtained to install a receiver to displace WTO's clients from running the company.
- Representing a utility provider in a breach of contract action involving more than \$500 million in claims.
- Achieved an exceptional outcome for a green energy manufacturer in a supplier dispute. Despite a product recall arising mid-litigation, WTO obtained indemnification and no future liability as part of resolving both the original claim and the recall-related issues.
- Won a complete victory before the New York Court of Appeals in a case involving the appropriate use of landmarked property in Manhattan.
- Prevailed on the central dispute in a confidential arbitration for a media company against a telecom in a breach of contract suit with billions of dollars at stake.
- Served as trial counsel to a large oil company in its bankruptcy and negotiated a highly favorable settlement during the confirmation hearing.
- Won dismissal of disclosure claims brought against various special purpose acquisition companies (SPACs) by their shareholders.

### INDUSTRIES

- Construction & Engineering
- Consumer Products & Services
- Financial Services
- Professional Services
- Telecommunications

### PRACTICE AREAS

- Appellate
- Class Actions
- Commercial Litigation
- Product Liability
- Professional Liability

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## BIOGRAPHY

Andrew Gehring represents national and multinational businesses in bet-the-company cases—including class actions—involving commercial and contractual disputes, mass torts, and professional liability. He has defended more than 100 clients in jurisdictions across the United States.

Andrew represents leading utilities, technology and media companies, professional services organizations, and financial institutions. He also represents manufacturers of consumer and industrial goods, pharmaceuticals, and other products. Andrew's experience for clients includes trials, arbitrations, and appeals.

## CASES

### Commercial Litigation

- Won a hearing for the majority owners of an ethanol production company to defeat a preliminary injunction attempt and completely unwind an *ex parte* ruling that the company's minority owners obtained to install a receiver to displace WTO's clients from running the company.
- Representing a utility provider in a breach of contract action involving more than \$500 million in claims.
- Achieved an exceptional outcome for a green energy manufacturer in a supplier dispute. Despite a product recall arising mid-litigation, WTO obtained indemnification and no future liability as part of resolving both the original claim and the recall-related issues.
- Served as trial counsel to a large chemical company in a confidential arbitration involving over \$1 billion in claims arising from the sale of proprietary technology.
- Won dismissal of an antitrust suit involving the sale of hundreds of millions of dollars of cancer drugs against a multinational pharmaceutical company and successfully defended the ruling on appeal.
- Secured the voluntary dismissal of breach of contract claims against two of the largest banks in the United States.
- Negotiated a highly favorable settlement for an investment fund in a breach of contract suit brought by a former partner seeking hundreds of millions of dollars.
- Won dismissal of disclosure claims brought against various special purpose acquisition companies (SPACs) by their shareholders.
- Served as trial counsel to a large oil company in its bankruptcy and negotiated a highly favorable settlement during the confirmation hearing.

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- Prevailed on the central dispute in a confidential arbitration for a media company against a telecom in a breach of contract suit with billions of dollars at stake.
- Won a complete victory before the New York Court of Appeals in a case involving the appropriate use of landmarked property in Manhattan.
- Represented a leading oil and gas industry service company in appraisal and shareholder derivative actions in Delaware.

## Class Actions

- Won dismissal of a statewide securities class action against a cryptocurrency organization and helped negotiate the settlement of analogous federal claims on behalf of a worldwide class.
- Obtained dismissal with prejudice for a major home goods manufacturer in a federal product liability class action involving potentially hundreds of millions of dollars of liability to putative nationwide and statewide classes.
- Defeated class certification in an action brought against a large utility company following Hurricane Sandy.
- Negotiated a class-wide settlement for a major blockchain technology company in securities litigation concerning the sale of cryptocurrency.

## Mass Torts

- Won summary judgment for a large utility company in a wrongful death action arising from downed power lines caused by Hurricane Sandy and successfully defended the ruling on appeal.
- Won summary judgment for a large utility company in multiple actions arising from service outages caused by Hurricane Sandy.
- Represented a chemical company in a confidential arbitration regarding the construction of an \$80 million chemical facility and performance of a proprietary manufacturing process.

## Professional Liability

- Represented an AmLaw 100 law firm in a malpractice lawsuit seeking over \$800 million in damages arising out of financial advice.
- Represented an AmLaw 100 firm in a malpractice lawsuit arising out of a \$90 million real estate transaction.
- Represented an AmLaw 100 firm in a malpractice lawsuit arising out of tens of millions of dollars of tax advice.

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- Represented a Big Four accounting firm in a lawsuit arising out of tax advice.

## **Pro Bono**

- Represented an elderly taxpayer in an IRS action against him for back taxes.
- Represented 14 inmates in their First Amendment and Civil Liberties action against a jail system.

## **BAR & COURT ADMISSIONS**

Colorado

New York

U.S. Court of Appeals, 10th Circuit

U.S. Court of Appeals, 2nd Circuit

U.S. District Court, D. Colorado

U.S. District Court, N.D. Illinois

U.S. District Court, S.D. New York

## **ARTICLES & PRESENTATIONS**

### **Articles**

- "The Power of the Purchaser: The Effect of Indirect Purchaser Suits on Deterring Antitrust Violations," 5 N.Y.U. J.L. & Liberty 208 (2010).

### **Books**

- Editor, Garner's Modern American Usage, Third Edition (2009).

## **PERSONAL INTERESTS**

- Hiking, word and logic puzzles, and adventure racing