

PARTNER

David L. Simons

New York

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PROFILE

David is a nationally recognized litigator and strategic advisor, who is regarded as one of the “500 Leading Litigators” in the U.S. (*Lawdragon*) and one of the “Top 40 Young Lawyers” in America (*American Bar Association*). He was also recognized in 2023 as a top “40 & Under” LGBTQ+ attorney in the U.S. (*National LGBTQ+ Bar*). Since joining BSF in 2013 following a federal clerkship, David has taken a lead role in several of the firm’s most high-profile and successful matters.

David has a diverse practice, with a focus on how artificial intelligence will alter the legal landscape. He has represented both plaintiffs and defendants in a wide range of high-stakes, complex litigation and brings to each representation a breadth of knowledge gained from extensive litigation and arbitration experience, work on multiple internal investigations, and his time in-house as a secondee at a multinational financial services company.

David also counsels companies facing government investigations and has represented clients before the U.S. Securities and Exchange Commission and the U.S. Department of Justice. *Legal 500* has recognized David as a “key lawyer” in BSF’s ranked Corporate Investigations and White Collar Criminal Defense group, which *Legal 500* described as “extraordinarily thorough, insightful, and empathetic.” He has also been listed as a “One to Watch” for his white collar work by *Best Lawyers in America*.

David maintains an active pro bono practice and co-chairs the firm’s Diversity Council.

EXPERIENCE



PRACTICES

Antitrust and Competition
Appellate
Financial Institutions and Private Funds
Class Actions
Constitutional Law
Data Privacy and Cybersecurity
Global Investigations and White Collar Defense
Technology
International Arbitration
Commercial Disputes

EDUCATION

Yale Law School, J.D.; Benjamin Cardozo Prize (outstanding brief submitted in Moot Court); Editor-in-Chief, Yale Human Rights & Development Law Journal; Online Editor, Yale Law Journal

Columbia University, B.A., *summa cum laude*, History; Columbia Mock Trial Team

ADMISSIONS

Bars

New York

U.S. District Court: Southern District of New York

AWARDS AND ASSOCIATIONS

David's recent experience includes:

- Litigating a commercial dispute on behalf of a privately-held corporation in multiple lawsuits across the United States
- Representing Nike in connection with the criminal prosecution of celebrity attorney Michael Avenatti for attempting to extort Nike; After a two-week trial, Mr. Avenatti was found guilty on all counts
- Defense of HSBC in multidistrict litigations alleging antitrust violations involving the worldwide precious metals markets
- Part of the trial team representing HSBC in Manhattan federal court against a former executive who sued the bank alleging retaliation; After less than two hours of deliberation, the jury returned a verdict of no liability on all counts, completely in favor of HSBC
- Defense of a syndicate of Lloyd's of London insurers in connection with a breach of contract dispute where plaintiffs sought damages in excess of \$400 million
- Managing Nike's response to DOJ and SEC investigations relating to alleged corruption in amateur basketball
- Representing a Fortune 100 company in connection with a DOJ investigation relating to foreign commercial bribery and a related internal investigation in Africa, Asia, Europe, the Middle East, South America, and the U.S.
- Participating in the trial team led by firm Chairman David Boies that successfully demonstrated in the Court of Federal Claims that the United States government had no legal authority to take equity from AIG shareholders during the financial crisis in 2008

PUBLICATIONS & PRESENTATIONS

Co-author, **Is Cyber Insurance a Modern-Day Imperative?**,
The New York Law Journal (October 2022)

On The Rise - Top 40 Young Lawyers Award (2023)

40 Best LGBTQ+ Lawyers Under 40 (2023)

Lawdragon 500 X - The Next Generation (2023)

Lawdragon 500 Leading Litigators in America

Best Lawyers in America: Ones To Watch (2023-2024)

Recognized by Legal500 as a "key lawyer" in BSF's ranked Corporate Investigations and White Collar Criminal Defense group (2022)

New York City Bar Association

National LGBTQ+ Bar Association

LGBT Bar Association of New York

CLERKSHIPS

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Hon. Gary Feinerman, U.S. District Court: Northern District of Illinois

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