



Kevin J. Orsini

PARTNER, LITIGATION

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Kevin J. Orsini is Co-Head of the Litigation Department. He regularly plays a central role in major corporate battles that redefine the law. With substantial first-chair trial experience, he is a fellow of the American College of Trial Lawyers and has been named *Benchmark Litigation*'s "Trial Lawyer of the Year" and "General Commercial Litigator of the Year."

Mr. Orsini has been recognized as an "established, all-purpose trial powerhouse" who "attends to a remarkably diverse practice that touches on commercial, antitrust and the one-of-a-kind phenomenon of 'event-driven' litigation, often of the most complex, contentious and highest-stakes variety." (*Benchmark Litigation*) His broad litigation experience includes antitrust, mass torts, mergers and acquisitions, securities and other commercial disputes.

Demonstrating his standout performance in complex litigation across a variety of practice areas, Mr. Orsini was named to *Crain's New York Business's* 2025 list of "Notable Litigators & Trial Attorneys" and selected as a 2023 "Class Action/Mass Tort Litigation Trailblazer" by *The National Law Journal*. In addition to his other awards from *Benchmark Litigation*, he has been named the publication's "Antitrust Attorney of the Year," and recognized as a "Top 100 Trial Lawyer in America," a "National Star" in general commercial litigation and a "Litigation Star" in the New York area.

Trial and Lead Counsel Experience

- Represented Robinhood as lead counsel in dozens of lawsuits, centralized in Florida federal court, including numerous putative class actions—securing a string of victories over more than three years to dismiss or otherwise resolve all claims against the company. The actions involved antitrust, contract, securities and various other state and federal claims arising out of Robinhood's decision to temporarily place certain limits on trading in certain securities in the face of unprecedented market volatility. Mr. Orsini secured the dismissal of all antitrust and state law claims filed against Robinhood, including arguing and winning Eleventh Circuit appeals affirming both decisions, and he obtained a major ruling defeating class certification of the securities claims.
- Representing Dfinity, an international organization developing blockchain technology, in purported class action securities litigation filed in California state and federal court related to the issuance of Dfinity's Internet Computer Project ("ICP") master governance tokens. In the state court action, Mr. Orsini argued and won summary judgment for Dfinity—an important win in the cryptocurrency space in a largely unsettled area of the law. He continues to represent Dfinity in the federal court action.
- Representing Light & Wonder (formerly Scientific Games) as lead trial counsel in putative class action and individual antitrust litigation filed in Illinois federal court, and in an arbitration before the American Arbitration Association, involving *Walker Process* antitrust monopolization claims that concern automatic card shufflers used in casinos.
- Secured the dismissal of all claims against Meta in putative class action and individual antitrust litigation filed throughout the country related to the multibillion-dollar digital advertising industry. The actions alleged anticompetitive conduct that purportedly harmed purchasers of digital advertising as well as media companies who sell digital advertising on their websites.
- Secured a judgment totaling more than \$600 million for The Williams Companies—following wins at trial in the Delaware Court of Chancery and on appeal to the Delaware Supreme Court—as co-lead trial counsel in M&A litigation against Energy Transfer, LP related to a planned \$37.7 billion merger.
- Obtained a major victory for American Express ("Amex") before the U.S. Supreme Court in an antitrust lawsuit originally brought by the Department of Justice (DOJ) and 17 state attorneys general challenging certain provisions in Amex's merchant agreements. Mr. Orsini represented Amex in the seven-week bench trial against the DOJ and subsequent appeal to the Second Circuit. The Supreme Court's decision, which affirmed the Second Circuit's judgment in favor of Amex, defines how antitrust law will be applied to two-sided markets.

- Secured a victory for Time Warner after a six-week trial in an antitrust lawsuit filed by the DOJ seeking to block Time Warner's \$109 billion acquisition by AT&T, the government's first challenge to a vertical merger in decades.
- Represented Turner Network Sales as lead trial counsel in a breach of contract dispute against DISH Network concerning the licensing and distribution of television channel CNN.
- Won the dismissal of lawsuits against DHT Holdings filed by Frontline, one of DHT's largest shareholders, in New York state court and the Marshall Islands related to Frontline's rejected offer to acquire the company. Mr. Orsini served as lead trial counsel and successfully argued against Frontline's TRO and preliminary injunction motions in both actions.
- Represented Palantir Technologies as lead trial counsel in two actions filed in the Delaware Court of Chancery by a shareholder seeking inspection of Palantir's books and records. One of these actions was tried and went up on appeal to the Delaware Supreme Court.
- Represented FleetCor Technologies, a payment service provider, and its subsidiary as trial counsel in a breach of contract dispute filed in the Delaware Court of Chancery by TA Operating, an operator of nationwide travel centers.
- Won a landmark decision for Barnes & Noble after a four-day expedited trial in an action brought in the Delaware Court of Chancery by various funds managed by Ronald Burkle challenging the company's poison pill. The decision was affirmed by the Delaware Supreme Court.

Securities and Other Commercial Litigation Experience

- Representing Anadarko Petroleum in putative class action securities litigation filed in Texas federal court alleging Anadarko made false and misleading statements concerning the company's business and operations in the Shenandoah deepwater oil field.
- Won back-to-back dismissals to defeat purported class action securities litigation filed against Robinhood and certain of its senior executives and directors concerning the company's July 2021 IPO. Mr. Orsini continues to represent Robinhood on appeal and in a related stockholder derivative action.
- Won summary judgment for Viatis (formerly Mylan) in a shareholder class action that asserted numerous violations of the federal securities laws, all premised on other allegations related to Mylan's marketing, pricing and classification of EpiPen, as well as alleged conduct concerning generic drug price-fixing and market allocation. The decision represents one of the few resolutions of a federal securities fraud litigation at summary judgment entirely in favor of defendants. The decision was affirmed on appeal by the Second Circuit.
- Represented M6 Midstream, a leading independent midstream energy company, in a property and antitrust dispute concerning a series of proposed natural gas pipeline installations in Louisiana. Following favorable

decisions in the trial court and on expedited appeal, the parties voluntarily dismissed their claims against each other with prejudice.

- Represented the Founders of Palantir Technologies in securing a settlement in putative class action litigation filed in the Delaware Court of Chancery, which challenged the company's governance structure following Palantir's direct listing.
- Represented SciPlay, a leading developer of digital games for mobile and web platforms, and certain of its officers and directors as lead counsel in putative class action securities litigation in New York and Nevada state courts alleging that offering documents issued in connection with SciPlay's May 2019 initial public offering omitted material information regarding the company's business prospects and financial health. The actions were resolved with favorable settlements.
- Represented Scientific Games ("SciGames") and its subsidiary, Bally Gaming, as well as certain members of the SciGames board of directors, as lead counsel in securing the dismissal of a suit filed by Sylebra in the Delaware Court of Chancery alleging defendants engaged in a plan to harm Sylebra's investment in SciGames. Mr. Orsini also represented SciGames and Bally Gaming as lead counsel in a related suit against Sylebra in Nevada state court.
- Represented J.P. Morgan Securities, individually and as successor in interest to Bear Stearns, in litigation filed by First Community Bank concerning collateral debt obligations.
- Defeated a preliminary injunction motion and won a motion to compel arbitration for Barnes & Noble Booksellers in a purported consumer class action lawsuit filed in New York federal court concerning consumer digital privacy.
- Won the dismissal of a shareholder derivative action for Barnes & Noble concerning the company's financial reporting and internal controls. Mr. Orsini also represented the company in a related consolidated securities class action lawsuit, which plaintiffs voluntarily dismissed following dismissal of the derivative suit.
- Won the dismissal of a putative shareholder class action against Barnes & Noble alleging breaches of fiduciary duties related to the company's acquisition of Barnes & Noble College Booksellers and violations of Section 14(a) of the 1934 Act based on certain disclosure statements.
- Represented Goldman Sachs against multibillion-dollar claims asserted in the Lyondell bankruptcy proceedings.
- Won the dismissal of a securities fraud lawsuit against JPMorgan concerning collateralized debt obligations.

Select Additional Antitrust Litigation Experience

- Represented Amex in several antitrust lawsuits and arbitrations challenging as anticompetitive certain provisions of its merchant agreements. Mr. Orsini won dismissal of a related shareholder derivative lawsuit. He also represented Amex in a putative antitrust class action lawsuit alleging unlawful tying, which was dismissed.

- Represented Sabre, a travel technology company, in its successful appeal to the Second Circuit of an adverse jury verdict in an antitrust lawsuit brought by US Airways concerning Sabre's contract terms.
- Represented Viacom International and Black Entertainment Television in an antitrust lawsuit brought by Cablevision concerning cable programming bundling, which settled.

Select Additional M&A Litigation Experience

- Representing Illumina in purported class action securities and derivative litigation filed in the Delaware Court of Chancery alleging breach of fiduciary duty claims in connection with Illumina's \$8 billion acquisition of GRAIL Inc.
- Won a trial decision for Occidental Petroleum in a Delaware Court of Chancery action seeking inspection of Occidental's books and records in connection with the company's \$57 billion acquisition of Anadarko Petroleum Corporation, which clarified the scope of Delaware Section 220 authority in cases where books and records demands are made in furtherance of stockholder proxy disputes. Mr. Orsini argued the matter on appeal to the Delaware Supreme Court, after which the parties settled.
- Represented Occidental Petroleum, its CEO and certain of its directors in derivative litigation filed in the Delaware Court of Chancery alleging Occidental's CEO and directors breached their fiduciary duties in connection with the company's acquisition of Anadarko Petroleum Corporation.
- Represented the Special Committee of Delphi Financial Group in a consolidated shareholder class action lawsuit challenging Delphi's \$2.7 billion buyout by Tokio Marine Holdings.
- Defeated a preliminary injunction motion for Mylan in a lawsuit filed by Perrigo challenging certain disclosure statements that Mylan made in connection with its \$27 billion proposal to acquire Perrigo.

Mass Torts Litigation Experience

- Represented PG&E as lead trial counsel in hundreds of lawsuits, including numerous putative class actions, filed against the company arising out of the unprecedented 2017 and 2018 California wildfires—one of the largest and most complex sets of mass tort litigation in recent years—and helped to steer the company through the largest utility bankruptcy in U.S. history. Mr. Orsini continues to represent the company in litigation related to the California wildfires between 2019 and 2021.
- Representing Xcel Energy, a major U.S. electricity and natural gas company with operations in eight states, as lead trial counsel in hundreds of lawsuits filed against Xcel arising from the December 2021 Marshall Wildfire. Mr. Orsini also represents Xcel and its subsidiary, Southwestern Public Service Company, in more than a dozen actions concerning the February 2024 Texas Panhandle wildfires, which included the Smokehouse Creek Fire.

- Represented Costamare Shipping and related entities as lead counsel in connection with litigation filed in California federal court, including a consolidated putative class action, alleging various theories of liability concerning the October 2021 San Pedro Bay pipeline leak off the coast of California—ultimately securing a series of settlements to resolve the actions.

Among his other distinctions, *Chambers USA* has commended his general commercial litigation work, and *The Legal 500 US* has recognized Mr. Orsini across numerous practice areas, including naming him a “Leading Trial Lawyer” and a “Leading Lawyer” for general commercial disputes and M&A litigation, as well as recommending him for his work in antitrust, appellate, fintech, financial services, media and entertainment and securities litigation. *Lawdragon* has also named Mr. Orsini a nationwide “Legend” and has featured him in many of its lists, including “500 Leading Global Litigators,” “500 Leading Energy Lawyers” and “500 Leading Global Antitrust & Competition Lawyers.”

Mr. Orsini was born in Livingston, New Jersey. He received a B.A. *summa cum laude* from The George Washington University in 2000, where he was elected to Phi Beta Kappa, and a J.D. *cum laude* from New York University School of Law in 2003.

Mr. Orsini joined Cravath in 2003 and was elected a partner in 2010.

EDUCATION

- J.D., 2003, New York University School of Law
cum laude
- B.A., 2000, The George Washington University
Phi Beta Kappa, summa cum laude

ADMITTED IN

- New York

PROFESSIONAL AFFILIATIONS

American College of Trial Lawyers

- Fellow

RANKINGS

Benchmark Litigation

- Antitrust Attorney of the Year (2020)
- General Commercial Litigator of the Year (2021)

- Trial Lawyer of the Year (2021)
- Top 100 Trial Lawyers in America (2025-2021)
- General Commercial Star - National (2025-2020)
- Litigation Star - New York (2025-2019)
- Future Star (2018, 2017, 2016)
- 40 & Under List (2018, 2017, 2016)

Best Lawyers in America

- Antitrust Law (2025-2017)
- Litigation - Antitrust (2025-2020)

Chambers USA

- Litigation: General Commercial - New York (2024-2020)

Crain's New York Business

- Notable Litigators & Trial Attorneys (2025)

Law360

- Rising Star: Competition Lawyers Under 40 to Watch (2016)

Lawdragon

- Legends of the 500 Leading Lawyers in America (2025)
- 500 Leading Global Litigators (2024, 2023)
- 500 Leading Global Antitrust & Competition Lawyers (2025)
- 500 Leading Energy Lawyers (2025)
- 500 Leading Lawyers in America (2025-2018)
- 500 Leading Litigators in America (2025, 2024, 2023)

The Legal 500 US

- Antitrust (2024-2016)
- Appellate (2024, 2023, 2020)
- Fintech (2024, 2022)
- Financial Services Litigation (2023, 2022)
- General Commercial (2024-2020)
- Leading Trial Lawyers (2024, 2023)
- M&A Litigation (2024-2017, 2014, 2013, 2012)
- Media and Entertainment Litigation (2024-2021)
- Securities Litigation (2024, 2023, 2022, 2011)

National Law Journal

- Class Action/Mass Tort Litigation Trailblazer (2023)

New York Law Journal

- Rising Star (2015)

Super Lawyers - New York

- Business Litigation (2021)
- Business Litigation – Rising Stars (2014, 2013)