BCLP. Client Intelligent

CHRISTINE CESARE

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BIOGRAPHY

Christine (Chris) Cesare previously served as the global managing partner for the Litigation and Corporate Risk Practice and was a member of the firm's Management Committee. In that leadership role she helped manage the day-to-day worldwide operations of the firm. Her external responsibilities focused on client service and, in particular, ensuring that our lawyers delivered services of the highest value, with excellence, innovation and efficiency. Her responsibilities to the firm focused on further developing our collaborative culture, leading efforts to set and reach our diversity, equity and inclusion goals, driving revenue and profitability, and when necessary, assisting with crisis management.

Chris served as head of the Commercial Litigation Client Service Group from 2008 to 2013 and also previously served as a member of the firm's Executive Committee and its Compensation Committee.

Chris' practice has always focused on complex commercial litigation, including class actions.

Chris has represented financial institutions in actions and class actions involving claims of breach of contract, fraud, lender liability, negligence, indemnification and unjust enrichment as well as claims under various state and federal statutes, including consumer statutes. Her experience has involved advice and representation in connection with consumer mortgage matters implicating issues of predatory lending, TILA and RESPA violations and claims of bad faith. She has also represented financial institutions acting as corporate trustees and has experience defending corporate trustees in actions involving claims for breach of contract, negligence, indemnification, constructive trust and breach of fiduciary duty. In the course of representing financial services companies issuing prepaid cards, Chris has been involved in litigation matters challenging the issuance of such cards, including disclosure cases, as well as claims relating to rewards and loyalty programs.

CIVIC INVOLVEMENT & HONORS

- New York Women's Committee of BCLP, Member
- Client Council Committee of BCLP, Member
- Sponsorship Program for Partnership Candidates, Member

ADMISSIONS

- Connecticut, 1996
- New York, 1985
- United States Court of Appeals for the Second Circuit
  United States District Courts for the Eastern and Southern Districts of New York

EDUCATION

Fordham University, J.D., 1984

Connecticut College, B.A., *magna cum laude*, Phi Beta Kappa, 1981

RELATED PRACTICE AREAS

- Business & Commercial Disputes

- Sports & Entertainment
- Sports & Entertainment Contract, Endorsement & Celebrity Representation Practice
- Anti-Doping Practice
- Sports & Event Venue Real Estate Infrastructure and Operation
- Naming Rights & Sponsorship Practice
- Sports & Entertainment M&A Practice
- Sports & Entertainment Specialty Counseling Practice
- Entertainment Industry Practice
- Sports & Event Financing
- Olympic & National Governing Body Practice
- Professional Sports Team Practice
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Antitrust Class Actions
- Shareholder Securities and Mergers & Acquisitions
- Food, Ag & Nutrition (Class Actions)
- Financial Services
- Class Actions & Mass Torts
- Banking & Finance Disputes
- Financial Services Corporate & Regulatory Team
- Investigations
- Corporate
- Finance
- Funds Finance
- Workouts & Financial Restructuring
- Wealth Management
- Subchapter S
- Going Private
- Community Banking Litigation
- De Novo Banking
- Employment Class & Collective Actions
- Sports (Class Actions)
- Data Privacy, Telecommunications & Collections
- Toxic Tort
- Bank Transactions & Strategy
- Bank Regulatory Compliance, Operational Support & New Products
- Banking Sector
- Consumer Fraud
- Insurance (Class Actions)
- Pharmaceutical & Medical Devices (Class Actions)

- Cross-border Employment Issues
- Enforcement
- Litigation
- Regulation
- Class Actions
- Consumer Finance Disputes
- Fiduciary Disputes
- Employment & Labor

EXPERIENCE

Financial Services Litigation

- Defend class action filed against bank arising out of a Ponzi scheme perpetuated by former branch manager.
- Defense of class action filed against bank alleging conflicts of interest and breach of fiduciary duty.
- Representation of lender in a qui tam proceeding defending alleged violations of the regulations governing home lending to veterans.
- Representation of financial institution and credit card issuer in putative nationwide class action filed in state court involving claims asserted under state law, including consumer laws.
- Defense of mass actions alleging claims of fraud arising out of residential mortgages.
- Defense of class actions against financial institution alleging statutory violations relating to satisfactions of mortgage.
- Representation of banks in connection with mortgage related claims and issues, including wrongful foreclosure, HAMP modification issues as well as allegations of bad faith.
- Defense of a class action commenced in federal court against a financial institution and a senior officer alleging a massive fraud, perpetrated through the public offering and sale of unregistered securities, arising out of a series of relationships with a bank customer.
- Representation of Corporate Trustee in connection with failure of issuer to timely file its Annual Report on Form 10K and its Quarterly Report on Form 10Q.

- Representation of corporate trustee in class action by bondholders arising out of UCC financing statements.
- Representation of American Bankers Association as Amicus Curiae in connection with issues arising out of Delta Air Lines Bankruptcy Proceeding.
- Representation of corporate trustee in action against issuer for breach of financial covenants, including fraudulent transfer of assets.
- Defense of corporate trustee in class actions involving bond holders alleging that the failure of a financial institution to properly preserve, maintain and sell collateral securing $120 million in bonds.
- Representation of a financial institution serving as custodian against claims arising out of an exchange offer.
- Defense of a series of actions commenced in federal and state court against a financial institution acting as a corporate trustee by secondary purchasers of defaulted bonds for which the financial institution acted as a corporate trustees seeking damages in excess of $123 million.
- Representation of a financial institution acting as a corporate trustee in a federal court class action involving conflicting claims of bondholders to approximately $86 million representing the proceeds of defaulted bonds.
- Representation of a financial institution against claims arising out of asset management services.
- Representation of prepaid card issuers in connection with gift card rewards and loyalty programs, including related litigation proceedings.
- Representation of financial institutions and credit card issuers in several federal court actions involving claims under the Fair Credit Reporting Act and TILA.
- Defense of claims related to ATM fee disclosures.

Complex Business Litigation

- Representation of several manufacturers asserting claims for tariff refunds in the Court of International Trade.
- Advice and representation in connection with litigation threatened against recently created ESOP.

- Advice and representation in connection with dispute with commercial landlord arising out of security breach of landlord's systems and rental payment to fraudulent actor posing as landlord.
- Representation of corporate client against a former employee who misappropriated proprietary and confidential information before joining a direct competitor; secured preliminary and permanent injunctive relief.

RESOURCES

SPEAKING ENGAGEMENTS

- "Talent—Not Just Recruiting but Retaining the Best People". New York Legal Market Conference. 2019
- "Diversity—Making Diversity Relevant: New Models of Inclusion". New York Legal Market Conference. 2019
- "Outside Counsel Guidelines, E-Billing & Collections Roundtable". Chicago, IL. November 2019
- "Marijuana...Can You Take it to the Bank?". Multiple presentations to financial institutions addressing the legal landscape of the marijuana industry and challenges for financial institutions evaluating whether and how to "bank" the industry.
- "Current Issues Facing Corporate Trustees". American Bankers Association. September 2018

RELATED INSIGHTS

Insights
Apr 22, 2020
Administering the Paycheck Protection Program and Managing Litigation & Regulatory Risk in the U.S.

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