

Lawyer Limelight: Oscar Shine

11/10/21

(Excerpts from this Q&A were originally published in [Lawdragon](#))

Having worked in Silicon Valley, Oscar Shine had a sense of what building a career at a start-up might be like. The Duke Law graduate clearly arrived at the right place when he joined New York-based Selendy & Gay, which was founded in 2018. Shine says he was honored to make partner earlier this year at the renowned litigation firm, which encourages an entrepreneurial spirit along with a dedication to public interest work.

"When I was looking to join the firm, I interviewed in founding partners' living rooms because we didn't have an office yet," Shine says. "As a result, I very much feel like I grew up with the firm, and I'm very grateful to the partners here for giving me a chance to prove myself."

Lawdragon: What's your practice like these days?

Oscar Shine: One joy of working at a litigation-focused firm like Selendy & Gay is that we can maintain a roughly 50/50 split of plaintiff and defense work, and my practice reflects that. Some of my largest cases are for plaintiffs, whether it's the private equity group in a billion-dollar contract dispute or the individual cryptocurrency investor in a putative class action. But we are equally active and experienced on the defense side; lately, for example, I have been busy helping an offshore fund navigate a dispute in the Southern District of New York. Because we routinely represent both plaintiffs and defendants, we better understand our adversaries' strategies and incentives.

LD: What are some trends you are seeing?

OS: Blockchain litigation is an emergent area of law that we are keeping a close eye on. We're working on several class actions against some of the world's biggest crypto-asset exchanges and digital token issuers. Our lawsuits allege various actors capitalized on the boom in cryptocurrencies in 2017 to sell billions of dollars' worth of unregistered digital tokens.

Much like the internet in its early days, blockchain quickly went from being a fringe curiosity to something that now gets covered daily in the Financial Times. As with any technology that sees that sort of rapid growth, disputes and litigation quickly followed. We expect blockchain will keep a lot of lawyers, including us, busy for many years as investors continue to bet on the technology and regulators take an increasingly aggressive stance.

LD: Can you describe a recent case?

OS: We represent a proposed class of crypto-commodity purchasers in a lawsuit alleging a conspiracy to manipulate the crypto markets. Specifically, our complaint alleges that a major crypto-asset called "tether" (or "USDT") was falsely marketed as supported by a 1:1 reserve of U.S. dollars, which did not in fact exist. Our complaint also alleges that the debased USDT was then used to buy cryptocommodities to create artificially inflated prices.

We were very pleased when, at the end of September this year, a federal judge largely denied our adversaries' motion to dismiss and allowed the case to proceed.

LD: What do you think makes Selendy & Gay unique?

OS: To my mind, one of the biggest selling points for our firm is that we make it a priority to give associates meaningful experiences earlier in their careers than they would likely get at another firm. It looks slightly different for every individual, obviously, but we are always looking for ways to have

associates lead a client meeting, take or defend a deposition or argue a motion. We have a standing agenda item at our partner meetings where we discuss upcoming opportunities for associates.

We also recognize that a big part of being a successful lawyer is learning how to manage projects and teams. At many firms, the management role is usually handled by the senior-most associate or junior-most partner. We instead assign an associate – often a junior one – to be what we call the “Case Manager,” with responsibility for managing staffing, assignments and deadlines. It helps associates develop a sense of ownership over the case and gives them visibility into things they might not otherwise see until they’re much more senior, like client demands or big-picture strategic considerations.

LD: Are you involved in any pro bono or public interest activities?

OS: I feel strongly about the importance of having competent counsel. I admire the American legal system – that’s why I became a lawyer – but many of the system’s assumptions don’t make sense unless people in the system have access to skilled attorneys. So I have always found a lot of professional satisfaction in representing individuals who would not otherwise have an attorney. Recently, for example, a colleague and I took a racial discrimination case to trial on behalf of a woman who had represented herself *pro se* through summary judgment.

As a firm, we also look for ways to partner with public interest organizations to bring cases at a larger scale. In one such instance, during the height of the 2020 pandemic we partnered with the ACLU of New Jersey to bring a class action on behalf of medically vulnerable prisoners in a New Jersey prison that was experiencing a devastating COVID outbreak.

LD: What was your career path like in terms of how you arrived at your current position?

OS: Before I went to law school, I spent a few years on Google’s public relations team. There was definitely a bit of culture shock in leaving Silicon Valley for a job at one of the big corporate-defense law firms. Not surprisingly, lawyers (and their law firms) tend to be more focused on tradition, precedent and hierarchy than Google was. Landing at Selendy & Gay actually felt like a bit of a homecoming, culturally, because it blended the structure of a law firm with the feeling of a start-up. One of my favorite things about working here is the sense that I can have a role in shaping the organization’s direction. Because it is a new organization, you don’t need to convince anyone that things can be done differently – they already agree with you.

Attorney

- Oscar Shine