



Babak Ghafarzade

Associate

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Babak Ghafarzade is a trial and appellate litigator who has worked on trial teams and briefed motions and appeals in federal and state courts. He was selected for the Leadership Council on Legal Diversity’s 2021 Pathfinder Program and as a 2020 New York Metro “Rising Star” by Super Lawyers.

Babak has represented clients in a variety of complex commercial disputes in the areas of securities, corporate governance, contract, insurance, trade secrets, employment, bankruptcy, and constitutional law. He has helped counsel individuals, start-ups, and Fortune 500 companies on the investigation, prosecution, and defense of high-stakes disputes. He has litigated complex financial products including collateralized loan obligations (CLOs), municipal and sovereign bonds, and monoline insurance. He was a member of the trial team that won dismissal of SEC charges seeking more than \$200 million in disgorgement from CLO funds and their manager.

In his broad public-interest and pro bono practice, Babak is defending New York’s rent-stabilization laws on behalf of tenant-advocacy organizations that were granted intervenor status by several district courts; is prosecuting a proposed class action in federal district court on behalf of Tennessee Medicaid recipients for violations of due process and the Americans with Disabilities Act; co-authored an [amicus brief](#) to the United States Supreme Court on behalf of the Campaign Legal Center in support of partisan-balancing in political appointments; represented immigrants seeking asylum, challenging the conditions of their confinement and appealing orders of removal; and provided civil legal assistance to participants in a diversion program for young defendants in the Eastern District of New York.

Representative Matters

- *Alix v. McKinsey & Co.*: Representing McKinsey & Co., a worldwide management consulting firm, against claims by Jay Alix, founder of consulting firm AlixPartners, and Mar-Bow Partners, a company founded by Jay Alix, challenging McKinsey’s Chapter 11 disclosures under Rule 2014 of the Federal Rules of Bankruptcy Procedure.
- *Rent-Stabilization Cases*: Representing tenant-advocacy groups granted permission to intervene in five federal constitutional challenges to New York’s rent-stabilization laws. [Won motions to dismiss in two cases](#), briefing appeal in one case, and awaiting decisions on pending motions to dismiss in three cases.
- *A.M.C. v. Smith*: Representing a proposed class of Tennessee Medicaid recipients seeking declaratory and injunctive relief to prevent the state from terminating healthcare coverage without constitutional and statutory due process and in violation of the Americans with Disabilities Act.

- *Blink Health v. Hippo Technologies*: Represented start-up pharmacy app company in trade-secrets dispute with former executives. Drafted complaint filed in the Southern District of New York and subsequent AAA arbitration statement of claims resulting in negotiated settlement.
- Represented attorney charged with conspiracy to commit wire and securities fraud in an eight-week jury trial in the United States District Court for the Eastern District of New York.
- Defended four CLO funds and their manager in a fourteen-day hearing before an SEC administrative law judge regarding allegations of fraud, collection of unearned fees, and breach of fiduciary obligations.

Babak earned his J.D., *magna cum laude*, from the New York University School of Law, where he was awarded Order of the Coif and the Howard Greenberger Award for Outstanding Achievement in the Area of Comparative Law and served as a Senior Editor of the NYU Journal of International Law and Politics. He served as a law clerk to the Honorable LaShann DeArcy Hall of the United States District Court for the Eastern District of New York.

Before law school, Babak taught math in Philadelphia public schools through the Teach For America program and later trained teachers in Mumbai as part of Teach For India.

Education

New York University School of Law

(J.D., 2016)

Magna cum laude, Order of the Coif, Howard Greenberger Award for Outstanding Achievement in the Area of Comparative Law Senior Editor, New York University Journal of International Law and Politics

University of Pennsylvania Graduate School of Education

(M.S.Ed., 2009)

University of Oregon, Clark Honors College

(B.A., 2007)

Cum laude, Phi Beta Kappa

Prior Associations

Law Clerk to the Hon. LaShann DeArcy Hall

United States District Court for the Eastern District of New York, 2018-2019

Gibson, Dunn & Crutcher LLP

Associate, 2016-2018

Admissions

- State Bar of New York
- United States District Courts: Southern District of New York, Eastern District of New York
- United States Court of Appeals for the Second Circuit
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