



## Babak Ghafarzade

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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 recognized in *Best Lawyers'* 2024 list of "Ones to Watch" in the publication's commercial litigation category. Babak was also recognized as a 2020-2024 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 crypto-assets, collateralized loan obligations (CLOs), municipal and sovereign bonds, and monoline insurance.

In his broad public-interest and pro bono practice, Babak is defending New York's rent-stabilization laws on behalf of tenant-advocacy organizations; is prosecuting a class action in federal district court on behalf of Tennessee Medicaid recipients for violations of due process and the Americans with Disabilities Act; is prosecuting claims on behalf of United States Capitol Police Officers injured on January 6, 2021; and has represented indigent clients in suits against government officials and agencies.

### Representative Matters

- *Underwood v. Coinbase Global Inc.*: Representing purchasers of crypto-assets in proposed class action in S.D.N.Y. alleging violations of the securities laws.
- *Kim v. Jump Trading, LLC*: Representing purchaser of crypto-assets in proposed class action in N.D. Ill. alleging violations of the Commodity Exchange Act.
- *Mudrick Capital Management, L.P. v. QuarterNorth Energy Inc.*: Representing three sets of investment funds in a Delaware Court of Chancery action alleging improper valuation of warrants held in an energy company.
- *ABN AMRO v. AMERRA Capital Management, LLC*: Represented subordinated lenders to a cocoa trading company in a dispute with senior lenders to the same company, and successfully defended the New York Supreme Court's dismissal of key claims against our clients on appeal before the First Department.
- *Alix v. McKinsey & Co.*: Represented 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.
- *Rent-Stabilization Cases*: Representing tenant-advocacy groups granted permission to intervene in five federal constitutional challenges to New York's rent-stabilization laws filed in S.D.N.Y. and E.D.N.Y. Won motions to dismiss all five cases, and [successfully defended](#) all five dismissals before the Second Circuit Court of Appeals and three of them before the United States Supreme Court. Received The Legal Aid Society's 2021 and 2022 Pro Bono Publico Award for this work.

- *A.M.C. v. Smith*: Representing, in M.D. Tenn., a certified class of Tennessee Medicaid recipients seeking declaratory and injunctive relief to prevent the state agency from terminating healthcare coverage without constitutional and statutory due process and in violation of the Americans with Disabilities Act.
- Represented start-up pharmacy app company in trade-secrets dispute with former executives in S.D.N.Y. and AAA arbitration.
- Represented attorney charged with criminal conspiracy to commit wire and securities fraud in an eight-week jury trial in E.D.N.Y.
- Defended four CLO funds and their manager in a fourteen-day SEC trial.

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.)

*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.)

### University of Oregon, Clark Honors College

(B.A.)

*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, Northern District of Illinois
- United States Court of Appeals for the Second Circuit
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