



Contact

Brian Hooven

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Brian Hooven is an associate in the Litigation Department and a member of the Private Equity and Hedge Fund litigation team and the White Collar Defense & Investigations Group. Brian's practice focuses on resolving complex commercial disputes in a variety of areas including contracts, securities, corporate governance, fiduciary obligations, capital markets, financial services, antitrust, and insolvency. Brian has represented clients through all phases of litigation in both state and federal courts, as well as in a variety of alternative dispute resolution proceedings. Brian also regularly represents corporations and individuals in connection with regulatory and criminal investigations.

Brian maintains an active pro bono practice, representing individual clients in criminal, family, and immigration proceedings.

Brian is also a regular contributor to Proskauer's blogs on Commercial Litigation and Private Equity litigation, Minding Your Business and The Capital Commitment, respectively.

Matters

Representative matters:

Commercial Disputes:

- Represented plaintiffs bringing a group of multi-million dollar breach of contract claims against a publicly traded corporation at both the trial and appellate level.
- Represented a financial institution in connection with claims arising from disputed swap transactions, securing a favorable settlement during a multi-week trial.
- Represented the general partner of a Major League sports franchise in connection with a breach of contract dispute.
- Represented a private equity firm in connection with a dispute stemming from the sale of a portfolio company.
- Represented the parent of an insolvent industrial company in connections with a subsidiary's bankruptcy proceedings, successfully resolving nearly \$1 billion in claims.
- Investigated and prosecuted a variety of claims on behalf of the unsecured creditors committee of an insolvent power company.
- Investigated and prosecuted a collection of fraud claims on behalf of the unsecured creditor's committee of an entertainment company.
- Advised a manufacturing company in connection with antitrust claims.
- Defended a multi-billion dollar pharmaceutical company against various unrelated derivative actions, regularly securing victory before discovery.

SEC Enforcement Matters & Regulatory Proceedings:

- Defended the CEO of a multibillion dollar corporation's subsidiary against an SEC investigation into revenue practices, securing a favorable outcome.
- Represented a publicly traded advertisement company in connection with an SEC investigation, successfully persuading the SEC not to pursue an enforcement action.

- Represented a leading financial institution in connection with a FINRA investigation into insider trading allegations.
- Represented a self-regulated organization in an administrative proceeding brought before the Securities and Exchange Commission.

White Collar Criminal Defense & Internal Investigations:

- Represented a leading financial institution in connection with a sweeping federal criminal investigation into the structure of a multi-billion dollar investment portfolio, successfully persuading the U.S. Attorney's Office not to pursue charges.
- Represented several employees of a prominent hedge fund in connection with allegations of insider trading.
- Conducted an internal investigation into whistleblower allegations brought by a media company's employee, ensuring that the company had adequate internal controls and procedures.
- Conducted an internal investigation into a television company's best practices, and counseled the company as to the appropriate response.

Practices

Asset Management Litigation, Litigation

Education

Columbia Law School, J.D., 2015

Journal of Law and Social Problems

University of Michigan, B.S., 2011

Admissions & Qualifications

New York

Court Admissions

U.S. District Court, New York, Southern District