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Lucas Kowalczyk

Senior Counsel

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Lucas Kowalczyk is a senior counsel in the Litigation Department and a member of the Appellate Group, which has been named to the *National Law Journal's* Appellate Hot List. Lucas has authored dozens of briefs in federal and state appellate and trial courts, as well as at the certiorari and merits stages in the Supreme Court of the United States. He has also argued cases in both state and federal appellate courts. His appellate work spans high-stakes constitutional, bankruptcy, labor and employment, antitrust, intellectual property, and commercial disputes. Lucas has also co-authored chapters of *Principles of Appellate Litigation: A Guide to Modern Practice* (PLI Press), a comprehensive treatise on appellate practice updated annually.

Lucas has experience across a wide range of industries, spanning from sports and healthcare to financial services, entertainment, consumer products, and life sciences. He has represented many prominent companies and institutions, including the NBA, MLB, Los Angeles Lakers, Church & Dwight, Ernst & Young, Toll Brothers, Cedars-Sinai, Michaels Stores, NBCUniversal, Bloomberg, L.P., Amherst College and IAM National Pension Fund, among others.

Lucas's notable appellate matters include obtaining a critical victory at the U.S. Supreme Court for the Financial Oversight and Management Board for Puerto Rico

in an appeal concerning the Board's sovereign immunity. He also prevailed at the First Circuit for the Board in four related appeals, defending the \$18-billion plan of adjustment for the Sales Tax Financing Corporation, a critical component of Puerto Rico's historic fiscal recovery.

Lucas is also a member of the firm's White Collar Defense and Investigations Group, focusing on government and internal investigations as well as criminal and regulatory matters. Among other representations, Lucas helped secure a full release of nearly \$20 million worth of interest in assets seized from the firm's client by the U.S. Department of Justice.

Additionally, Lucas has successfully defended clients in high-stakes contractual disputes involving financial services, life sciences, consumer goods, telecommunications, and other industries in trial courts and arbitrations in a number of jurisdictions.

Lucas also maintains a diverse pro bono practice and has represented indigent clients in immigration, family and appellate courts, and in death penalty proceedings. Among his notable cases, Lucas prevailed in a Second Circuit appeal regarding the government's burden in justifying the continued detention of a noncitizen in removal proceedings. Lucas has received the Legal Aid Society's *Pro Bono Publico* Award and Proskauer's Golden Gavel Award for obtaining a critical victory for his client—an indigent grandmother acting as guardian for her two learning-disabled grandchildren—in an appeal argued by Lucas before the New York State Appellate Division, First Department. The court held that an amendment to New York's Subsidized Kinship Guardian Program applied retroactively and required an award of benefits to the client's grandchildren.

Lucas is a graduate of the National Trial Advocacy College.

Practices

Litigation, International Investigations and Compliance, Appellate, White Collar Defense & Investigations, Mass Torts & Product Liability, Employment Litigation

Education

University of Virginia School of Law, J.D.

Cornell University, B.S.

Admissions & Qualifications

District of Columbia

Illinois

New York

Clerkships

U.S. Court of Appeals, Sixth Circuit - Hon. Helene N. White

U.S. District Court, Pennsylvania, Middle District - Hon. A. Richard Caputo

Court Admissions

Supreme Court of the United States

U.S. Court of Appeals, First Circuit

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Fourth Circuit

U.S. Court of Appeals, Fifth Circuit

U.S. Court of Appeals, Sixth Circuit

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, District of Columbia

U.S. Court of Appeals, Federal Circuit

U.S. District Court, Illinois, Northern District

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

Memberships

New York State Bar Association

Illinois State Bar Association

Awards & Recognition

New York Super Lawyers "Rising Stars" 2020-2022

Proskauer's Golden Gavel Award 2020, 2024-2025

The Legal Aid Society's Pro Bono Publico Award 2019

Languages

Polish