

Contact

Margaret A. Dale

Partner

New York +1.212.969.3315

mdale@proskauer.com

Margaret Dale is a seasoned trial lawyer and first-chair litigator handling complex business disputes across a wide variety of industries and sectors, including consumer products, media and entertainment, financial services, telecommunications and technology, and higher education. A former vice-chair of the Litigation Department, she has been recognized since 2017 in *Benchmark Litigation's* Top 250 Women in Litigation.

Margaret's practice covers the spectrum of complex commercial disputes, including matters involving contracts, bankruptcy and insolvency, securities, corporate governance, asset management, M&A, intellectual property, and privacy and data security.

Margaret regularly counsels clients before litigation commences to assess risk, develop strategies to minimize or avoid disputes, and resolve matters outside of the courtroom.

Margaret is a frequent writer, including authoring the chapter titled "Privileges" in the treatise *Commercial Litigation in New York State Courts* (*Haig, 5th ed.*), the chapter titled "Data Breach Litigation" in PLI's *Proskauer on Privacy*, and the chapter titled "Perfecting the Appeal" in PLI's *Principles of Appellate Litigation.* She also serves as the lead editor of Proskauer's blog on commercial litigation, *Minding Your Business*

Litigation. For over 10 years, Margaret co-authored a regular column on corporate and securities law in the *New York Law Journal*.

Margaret maintains an active pro bono practice advocating on issues relating to reproductive rights, women, children, and veterans. She serves on the Board of Directors of CFR (Center for Family Representation), VLA (Volunteer Lawyers for the Arts), and the City Bar Fund.

Matters

Representative Matters:

- Lead litigation counsel for the Financial Oversight and Management Board of Puerto Rico (FOMB) with respect to restructuring the debt of the Puerto Rico Electric Power Authority (PREPA), including conduct of confirmation hearing.
- Lead litigation counsel for the Financial Oversight and Management Board of Puerto Rico (FOMB) with respect to restructuring the debt of the Employee Retirement System of the Government of the Commonwealth of Puerto Rico (ERS).
- Lead counsel to the Depository Trust & Clearing Corporation in ceasing to act for member and related appeal to SEC.
- Lead counsel for a public telecommunications company in connection with an internal investigation of fraud allegations, and subsequent successful mediation of claims by customer.
- Counsel for Otis Worldwide Corporation in successful defense of putative class action for damages stemming from conversion of equity awards post-spin-off
- Advisor to public telecommunications company regarding potential data breach involving protected personal information and customer proprietary network information.

- Counsel to Comtech Telecommunications Corp. in Delaware Chancery Court concerning claim of material adverse effect in connection with terminated acquisition of Gilat Satellite Networks Ltd.
- Lead counsel to St. George's University in proceedings in state and federal court relating to the medical school.
- Lead trial counsel for FIFA in securing a unanimous defense verdict, and beating back a breach of contract claim by a purported agent seeking tens of millions of dollars relating to retransmission royalties concerning World Cup broadcasts.
- Lead counsel for Charles Tyrwhitt, a men's clothing retailer, in the complete dismissal of a putative class action lawsuit challenging Tyrwhitt's use of a third-party intermediary to monitor users' activities on its website and claiming violations of the Wiretap Act, the Stored Communications Act and New York General Business Law.
- Data breach counsel for T-Mobile in connection with the breach experienced by its vendor, Experian, including responding to regulatory inquiries, class action lawsuits and overall management of the breach response, as well as litigating a contract dispute regarding contractual obligations and indemnification.
- Advisor to selling shareholders in connection with indemnification demands related to divestiture of gaming and lodging entities.
- Lead counsel for selling shareholders in an escrow dispute with a corporate buyer in Delaware Chancery Court.
- Counsel to Pershing LLC in obtaining dismissal of a putative class action alleging inadequate security relating to a proprietary online platform.
- Counsel to BNY Mellon in obtaining the dismissal of two putative class action lawsuits brought by consumers whose personally identifiable information was allegedly contained on lost computer back-up tapes.
- Lead counsel for Pershing and BNY Mellon in successfully defending an action that arose from alleged inadequate data security measures relating to a proprietary online platform.

- Lead counsel for The Keith Haring Foundation and related entities and individuals in successfully defending against allegations of defamation and other torts, as well as antitrust violations in connection with the determination that works of art owned by the plaintiffs were not authentic works by the hand of Keith Haring.
- Lead counsel for The Keith Haring Foundation in the successful shut-down of a “pop up” exhibition in Miami where counterfeit works were exhibited.
- Counsel to the Museum of Modern Art (MoMA) in obtaining the dismissal of litigation brought by the heirs of a deceased German artist (George Grosz) for restitution of artwork.
- Counsel to Leucadia National Corporation and its affiliates in a federal class action lawsuit involving claimed violations of RICO and the Fair Debt Collection Practices Act.

Practices

Litigation, Asset Management Litigation, Restructuring, Class & Collective Actions, Intellectual Property, Privacy & Cybersecurity, Securities Litigation, Trials

Industries

Private Capital

Market Solutions

Corporate Governance

Education

University of Chicago Law School, J.D.
Rutgers College, B.A.
With Highest Honors
Phi Beta Kappa

Admissions & Qualifications

New York

Court Admissions

U.S. Court of Appeals, District of Columbia Circuit
U.S. Court of Appeals, First Circuit
U.S. Court of Appeals, Federal Circuit
U.S. Court of Appeals, Tenth Circuit
U.S. Court of Appeals, Eleventh Circuit
U.S. Court of Appeals, Fourth Circuit
U.S. District Court, New York, Eastern District
U.S. District Court, New York, Southern District
U.S. Court of Appeals, Second Circuit
U.S. Court of Appeals, Ninth Circuit

Memberships

Center for Family Representation, Member of the Board of Directors (former Board Chair)
Volunteer Lawyers for the Arts, Member of the Board of Directors and Executive Committee member
City Bar Fund, Member of the Board of Directors
New York City Bar (Judiciary Committee; Member of the Task Force on Litigation Funding; Former Member of: Sports Law Committee, Art Law Committee, Committee of the State Courts of Superior Jurisdiction, and Committee on Professional Discipline, Co-Chair of the Task Force on New York's Constitutional Convention (2015-2017)
New York State Bar Association (Former Secretary of Commercial and Federal Litigation, Former Editor of NY Litigator)
American Bar Association (Section of Litigation)

Awards & Recognition

Benchmark Litigation: Litigation Star 2019-2026
Benchmark Litigation: Top 250 Women in Litigation 2017-2025
New York Super Lawyers: 2007-2025
The Legal 500 United States: Cyber Law (Incl. Data Protection & Privacy) 2018-2023
The Legal 500 United States: Litigation: General Commercial Disputes 2018-2023

Government Service

Assistant District Attorney, Kings County District Attorney’s Office, Brooklyn, NY, 1991-1994