



Contact

William D. Dalsen

Senior Counsel

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Will Dalsen is a senior counsel in the Litigation Department. His practice focuses on complex commercial litigation and high-stakes trials, with a particular emphasis on private credit, private equity, venture capital and hedge funds. Will is highly regarded for his deep knowledge of the private credit and private investment fund industries, and his ability to resolve disputes for both sponsors and portfolio companies.

Will provides counseling regarding creditor rights, lender liability, sponsor liability, operating company disputes, control rights, regulatory compliance, and investigations. He advises funds, fund sponsors, investment advisers, and institutional and individual investors. In addition, he has represented public and private corporations in contractual disputes, business tort cases, and government investigations.

Will leads all phases of the litigation process, including pre-suit investigations, negotiating discovery disputes and arguing discovery motions, deposing fact and expert witnesses, managing expert discovery, preparing and arguing dispositive motions, preparing witnesses for trial, and examining and cross-examining witnesses at hearings and at trial.

Prior to joining Proskauer, Will served for two years as a law clerk to Judge Susan Phillips Read of the New York State Court of Appeals, drafting bench memoranda

and assisting with opinions in a variety of civil and criminal matters. In law school, Will was Editor in Chief of the *Wisconsin Law Review* and served as a judicial intern to the Honorable Shirley S. Abrahamson, Chief Justice of the Wisconsin Supreme Court.

Matters

Notable Representations and Victories Include:

- *In re HIV Antitrust Litigation*: Trial counsel for Gilead Sciences, Inc., Gilead Holdings, LLC, and Gilead Sciences, LLC in a \$3.6 billion antitrust case on allegations that the pharmaceutical company struck an anticompetitive "pay-for-delay" patent settlement related to two HIV medications. A California federal jury deliberated for two days and delivered a full defense verdict.
- Financial Oversight and Management Board for Puerto Rico, in its own right and as debtors' representative, in litigation related to the restructuring of the Commonwealth's \$74 billion of bond debt and \$50 billion of unfunded pension obligations (D.P.R.) (Bankr. D.P.R.).
- A private credit fund and several of its affiliates in defense of RICO and other claims in putative class action related to alleged "payday lending" activities (E.D. Va.).
- A venture capital firm in defense of claims brought by limited partner related to alleged failure to make timely distributions of fund assets and properly allocate carried interest (N.Y. Sup. Ct.).
- *EVEMeta, LLC v. Synacor, Inc.* (N.Y. Sup. Ct.): Represents Synacor in a case alleging breach of contract and business torts relating to over-the-top content delivery services.
- *ITW Global Investments, Inc. v. American Industrial Partners* (Super. Ct. Del.): Represents AIP in a case relating to the acquisition of a manufacturer of advanced flow, pressure, and vacuum measurement and control devices.
- *Oppenheimer Rochester High Yield Municipal Fund et al. v. Tobacco Settlement Financing Corporation* (R.I. Super. Ct.): Represented Rhode Island

governmental issuer of tobacco settlement revenue backed bonds in defense of lawsuit brought by two municipal bond funds seeking to block proposed \$600 million bond issuance. After expedited discovery, the court granted the issuer's motion for summary judgment in all respects, permitting the bond issuance to proceed.

- Multiple fund sponsors in connection with SEC investigations into alleged pay-to-play and expense shifting violations and whether certain firm personnel are "covered associates."
- A large European investment fund that lost approximately \$400M in various Madoff feeder funds.

Practices

Trials, Special Situations, Securities Enforcement, White Collar Defense & Investigations, Litigation, Private Credit Restructuring, Asset Management Litigation

Industries

Private Capital

Market Solutions

Environmental, Social and Corporate Governance (ESG)

Education

University of Wisconsin Law School, J.D.

Lawrence University, B.A.

cum laude

Admissions & Qualifications

Massachusetts

New York

Clerkships

New York Court of Appeals - Hon. Susan Phillips Read

Court Admissions

Supreme Court of the United States
U.S. Court of Appeals, Federal Circuit
U.S. Court of Appeals, First Circuit
U.S. Court of Appeals, Second Circuit
U.S. Court of Appeals, Ninth Circuit
U.S. District Court, New York, Western District
U.S. District Court, New York, Southern District
U.S. District Court, Massachusetts
U.S. District Court, Texas, Eastern District

Awards & Recognition

Best Lawyers in America, Ones to Watch 2024