



Contact

**William D. Dalsen**

**Associate**

Boston

+1.617.526.9429

wdalsen@proskauer.com

Will Dalsen is an associate in the Litigation Department. His practice focuses on complex commercial litigation, 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 fund industry and ability to resolve disputes for both sponsors and portfolio companies. He provides counseling regarding creditor rights, lender liability, sponsor liability, operating company disputes, control rights and 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, managing expert discovery, preparing and arguing dispositive motions, and preparing witnesses for trial. He has elicited deposition testimony from numerous witnesses on topics ranging from corporate finances to document preservation.

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

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### Representative Cases – Commercial Disputes and Government Investigations

- 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

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Litigation, Private Credit Restructuring, Asset Management Litigation

#### Education

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University of Wisconsin Law School, J.D.

Lawrence University, B.A.

*cum laude*

#### Admissions & Qualifications

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Massachusetts

New York

#### Clerkships

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New York Court of Appeals - Hon. Susan Phillips Read

#### Court Admissions

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U.S. Supreme Court

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. Court of Appeals, Federal Circuit

U.S. District Court, Texas, Eastern District