

# Shaila Rahman Diwan

Partner

*Trial and Global Disputes*



New York: +1 212 790 5346

sdiwan@kslaw.com



Shaila Rahman Diwan is a trial lawyer who represents a range of Fortune 500 consumer product, technology, financial services and pharmaceutical companies in product liability and complex commercial litigation. Shaila develops precisely crafted litigation strategies to deliver top results for clients facing public scrutiny in difficult jurisdictions. She has handled a significant number of high-stakes trials nationwide, with a focus on notoriously difficult jurisdictions. Shaila also has substantial experience representing companies in high-profile litigations arising out of complex commercial disputes. Her recent work in this area includes representing major companies in wide variety of contractual disputes in the areas of telecommunications, real estate, banking, cryptocurrency and healthcare.

Shaila has been recognized for her talent in defending clients across a wide range of industries. She was recently recognized as a Rising Star for Product Liability by *Law360* and was listed as a Notable Woman in the Law by *Crain's New York Business*. Shaila was also recently named a Future Star by *Benchmark Litigation*.

In addition to her litigation practice, Shaila also has experience conducting internal investigations and developing compliance programs to help clients manage risk and avoid litigation.

Shaila also devotes her time to defending the rights of women and children in various pro bono civil rights cases.

## Matters

### Complex Commercial Disputes

Represent **LIHTC investors** in affordable housing properties in dispute against their developer partners where developers seek to force the investors to relinquish their property interests for amounts that are tens of millions of dollars below fair market value.

Represent **EarthLink LLC** in an action against Charter Communications LLC for breach of contract, defamation and other claims in connection with Charter the parties' agreement concerning the provision of high-speed Internet services and IP addresses.

Represent **major healthcare system** in connection with multiple contract disputes with public companies.

### **Product Liability**

Represented **various Fortune 500 companies**, including pharmaceutical and medical device companies, in products liability litigation as trial counsel and national coordinating counsel.

Represent chemical manufacturer in connection with litigation alleging products cause illness.

Represent **Coloplast** as counsel in product liability litigation relating to injuries allegedly caused by the company's female pelvic mesh devices.

Represent **Johnson & Johnson** as trial counsel and national coordinating counsel in litigation alleging that asbestos contamination in talcum powder caused mesothelioma.

### **White Collar, Securities, Investigations**

Represented a **fintech company** in breach of contract, fraud and civil RICO action.

Represented **Barclays Bank PLC** as plaintiff in actions against defaulted foreign derivatives counterparties and secured pre-discovery summary judgment on behalf of the client in multiple actions.

Represented **various investment banks** in federal litigations and arbitrations involving premium-financed life insurance policies.

Represented **Ernst & Young LLP** in connection with its audit of Allied Deals, Inc., a privately owned company that was accused of orchestrating a \$600 million international Ponzi scheme.

Represented a **Fortune 100 company** in a major FCPA internal investigation that was self-reported to the SEC. Represented several executives in connection with various ongoing FCPA investigations involving activity in Asia. Created, presented and implemented anti-corruption and compliance policies for several Fortune 500 companies.

Represented **The Bank of New York Mellon** as trustee of residential mortgage-backed securitization (RMBS) trusts in a variety of matters, including litigation seeking the approval of an \$8.5 billion proposed settlement with Bank of America Corp. in connection with 530 RMBS trusts.

Represented **The Bank of New York Mellon** in all aspects of litigation as well as SEC and CFTC investigations, in connection with the bankruptcy of Sentinel Management Group, resulting in a trial victory for The Bank of New York Mellon.

### **Intellectual Property, Trade Secrets**

Represented **Microsoft** in multiple patent licensing disputes with mobile device manufacturers.

Represented **LG** in connection with breach of patent licensing agreement.

Represented **cloud computing start-up** in connection with trade secret and employment litigation.

Represented **semiconductor manufacturer** in connection with trade secret and employment litigation. Secured injunctive relief preventing the dissemination of trade secrets and breach of noncompete.

Member of team that secured summary judgment for **YouTube** and its parent Google in a billion-

dollar copyright infringement suit brought by Viacom.

## Credentials

### EDUCATION

J.D., Fordham University

B.A., SUNY at Binghamton, magna cum laude

### ADMISSIONS

Supreme Court of the United States

U.S. District Court for the Eastern District of New York

U.S. District Court for the Northern District of New York

U.S. District Court for the Southern District of New York

New York

### ASSOCIATIONS

Board of Directors for the City Bar Justice Fund

## Recognition

Editorial Board, Product Liability

LAW 360, 2021

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Notable Women in the Law

CRAIN'S NEW YORK BUSINESS, 2021

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Future Star

BENCHMARK LITIGATION, 2021

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Fellow

LEADERSHIP COUNCIL ON LEGAL DIVERSITY, 2020

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Rising Star, Product Liability

LAW 360, 2020

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## Insights

### ARTICLE

March 11, 2021 • Source: *The New York Law Journal*

The Importance of Epidemiology To Contextualize Safety Signals Associated With Women's Health Products

### CLIENT ALERT

March 31, 2021

FDA Warns That Most Hair Smoothing or Straightening Products Release Formaldehyde Gas During the Hair Straightening or Smoothing Process

*March 26, 2021*

Supreme Court Issues Landmark Personal Jurisdiction Decision

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## News

### RECOGNITION

*October 13, 2021*

Benchmark Litigation Recognizes King & Spalding as a Leading Litigation Firm

*June 10, 2021*

Legal 500 United States 2021 Ranks King & Spalding Practices Among the Top in the Nation

*April 20, 2021*

Law360 Selects Nine from King & Spalding to Serve on 2021 Editorial Advisory Boards

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