Samuel I. Portnoy

Partner

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One Gateway Center
Newark, NJ 07102

Practice Areas

Business & Commercial Litigation

Bar Memberships

New Jersey

New York

Sam is a business litigator who handles major commercial disputes for a wide range of companies and individuals. From large-cap industry leaders to cutting-edge start-ups, Sam's clients rely on him to deliver efficient, effective solutions for their most complex legal matters. He is Co-Chair of the firm's Securities Team. He also focuses his practice on high-stakes breach of contract disputes and professional negligence claims in the financial and legal services industries. Recent and current examples include the defense of major pharmaceutical manufacturers and C-suite executives against various 1934 Act claims, representation of a securities rating agency in a contract dispute concerning bond pricing technology, and the defense of multiple prominent legal service providers against claims of professional negligence. Sam brings to bear ability and perspective informed by more than 15 years of experience in private practice, service as in-house counsel, and work for federal judges, both trial and appellate. Sam regularly litigates in federal and state courts throughout the country, handling complex business and commercial litigation in areas that include:

- Securities fraud
- Insider trading
- Common law fraud
- Professional negligence and liability
- Breach of contract
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- The Racketeer Influenced and Corrupt Organizations (RICO) Act
- The Federal Tort Claims Act
- Mass tort
- Fraudulent conveyance

In addition to co-chairing the firm's Securities Team, Sam is Co-Chair of the firm's Alumni Initiative, serves on the firm's Professional Development Committee and Recruiting Committee, is the Business & Commercial Litigation Group's Staffing Director, and is active in the Gibbons Diversity Initiative.

Before joining the firm, Sam was an associate at Davis Polk & Wardwell LLP, where he regularly represented utilities, hedge funds, Fortune 500 companies, and some of the largest financial institutions in the country in connection with civil litigation and in responding to subpoenas issued by federal and state agencies and self-regulatory organizations.

During his time with Davis Polk, Sam was seconded to the New York Mets for the 2009 baseball season, affording him invaluable insight into complex commercial litigation from the client's perspective.

Prior to joining Davis Polk, Sam clerked for the Honorable Peter W. Hall, United States Court of Appeals for the Second Circuit, and interned for the Honorable Allan L. Gropper, United States Bankruptcy Court for the Southern District of New York. As a result, Sam is able to provide his clients with service and guidance informed by virtually every relevant perspective on civil litigation.

Other Info About Samuel

Experience

- Represents a major pharmaceutical manufacturer in a securities class action alleging misrepresentations in connection with a clinical trial for a drug designed to treat diabetes and obesity
- Represents leading telecommunications company in a securities class action alleging that the company made misrepresentations regarding purported risks associated with lead-sheathed cables
- Represents a leading provider of global mobility solutions in an action alleging violations of federal securities laws and breach of fiduciary duty
- Represents company that owns and operates data centers powered by renewable energy where hashpower used to create Bitcoin is generated in securities action alleging misrepresentations concerning loans used to fund the purchase of Bitcoin mining equipment
- Represents leading digital printing solutions company in securities class action alleging misrepresentations regarding revenue and service contracts
- Represents biotechnology company in a securities class action alleging misrepresentation regarding the company's value.
- Represents a major financial intelligence and securities rating agency in a contract dispute concerning bond pricing technology
- Represented a major pharmaceutical manufacturer in a securities class action alleging that the company misrepresented the anticipated impact of price pressures that Pharmacy Benefit Managers were bringing to bear on the U.S. insulin market
- Represented a major pharmaceutical company in a securities class action alleging that the company made misleading disclosures regarding clinical trial results for a cancer treatment

- Represented former executives of a biotechnology company in a securities class action and derivative action alleging misrepresentations concerning a pain medication in development and a planned corporate acquisition
- Represented a major multinational technology company against allegations of civil conspiracy, respondeat superior, negligent supervision/retention, aiding and abetting fraud and misconduct, violations of federal and state banking laws, negligence, and Sarbanes-Oxley violations
- Represented public companies, hedge funds, and investment banks in responding to subpoenas issued by federal and state agencies and self-regulatory organizations
- Represents a prominent legal services provider against claims of professional negligence
- Represented an accounting firm in litigation involving claims of professional negligence
- Represents a major energy services company in a contract dispute arising out of a power plant construction project
- Represented a major maritime transportation services company in an action alleging bridge construction delay damages arising out of a maritime allision
- Represented a major fabricator of precast concrete in a contract dispute culminating in an AAA arbitration comprising 47 hearing days
- Represented a railroad tie manufacturer in an action by a supplier seeking common-law indemnification and breach of implied warranty
- Represented a major structural steel provider in a contract dispute
- Represented a major health insurance company in litigation against an out-of-network provider concerning allegations of cost-share waiver
- Represented solar photovoltaic system providers in contract disputes

- Represented a litigation trustee in prosecuting causes of action for securities fraud, common law fraud, RICO, breach of contract, professional negligence, negligence, and breach of fiduciary duty against company insiders and outside professionals
- Represented a privately held commercial real estate developer in a Federal Tort Claims action against the United States
- Represented a utility company in a mass tort litigation involving nearly 100 consolidated actions

Education

Brooklyn Law School, J.D., summa cum laude

Honors

- Notes and Comments Editor, *Brooklyn Law Review*
- Moot Court Honor Society
- Dean's List

Awards

- Donald W. Matheson Memorial Prize
- Cornelius T. Wickersham, Jr. Prize
- Zaretsky Bankruptcy and Commercial Law Fellowship
- Prince Scholarship
- Centennial Grant
- Class of 1911 Scholarship
- Richardson Scholarship
- CALI Excellence for the Future Awards in: Federal Courts and the Federal System; Constitutional Law II; Constitutional Law I

University of Vermont, B.A.

Honors

- Dean's List
- National Political Science Honor Society

Awards

- Vermont Scholar Award

Clerkships

Law clerk to the Honorable Peter W. Hall, United States Court of Appeals for the Second Circuit, 2006-2007

Judicial intern to the Honorable Allan L. Gropper, United States Bankruptcy Court for the Southern District of New York, 2004

Courts

United States District Court for the District of New Jersey

United States District Court for the Eastern District of New York

United States District Court for the Southern District of New York

United States Court of Appeals for the Third Circuit

United States Court of Appeals for the Second Circuit

Recognition

Included on the *Benchmark Litigation* "Future Stars – New Jersey" list, 2026

Recognized by Best Lawyers®, 2026-2027 Editions: Commercial Litigation

Included on the *New Jersey Super Lawyers Rising Stars* list, Business Litigation

Included on the *Benchmark Litigation* lists, "Future Stars," Business & Commercial Litigation; "40 & Under Hot Lists," 2017-2020

Professional Affiliations

John C. Lifland Inn of Court Master
Association of the Federal Bar of New Jersey
New Jersey State Bar Association
Essex County Bar Association

American Bar Association

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