

SULLIVAN & CROMWELL LLP

Lawyers



Michael T. Tomaino Jr.

Partner

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Michael Tomaino has been a partner in Sullivan & Cromwell's Litigation Group since 1998. He has been involved in a wide variety of litigation matters, with a focus on securities litigation, and has had bench and jury trials and arbitrations in securities, commodities, antitrust and intellectual property cases. Mr. Tomaino has represented financial institutions, corporations, and officers and directors in class and individual actions in federal and state courts around the country in the most prominent securities litigation matters over the past three decades, including those involving mortgage-related products, monoline insurers, Wall Street research analysts, HealthSouth, Enron and U.S. Treasury Auctions. His recent victories as lead counsel include obtaining summary judgment for Barclays (the issuer) and the individual defendants, and an affirmance by the Second Circuit on appeal, in a 1933 Act Section 11 class action arising out of a \$2.5 billion offering of Barclays ADS preference shares.

Mr. Tomaino has also represented individuals and financial services clients in a number of major investigations by the SEC, CFTC, other state and federal regulatory authorities and FINRA, and has handled a number of enforcement proceedings involving allegations of fraud and manipulation in connection with trading on various New York, Chicago and London exchanges.

Rankings and Recognitions

- Euromoney's *Benchmark: America's Leading Litigation Firms and Attorneys* – recognized as a Local Litigation Star in New York (2010-2022), a National Litigation Star in Securities (2015-2019) and a National Practice Area Star in Securities (2019-2022)
- *New York Super Lawyers* – recognized as a Leading Lawyer in Securities Litigation (2007-2019, 2021)

SELECTED REPRESENTATIONS

Mr. Tomaino's trial experience includes representing:

- Microsoft in a seven-week jury trial in its successful defense of antitrust claims asserted by Bristol Technologies
- Labatt Brewing Company as plaintiff in a multi-week patent

PRACTICES & CAPABILITIES

Litigation

Antitrust

**Corporate Governance
Litigation**

**Criminal Defense &
Investigations**

**Intellectual Property &
Technology Litigation**

Securities Litigation

**Supreme Court and
Appellate**

General Practice

Capital Markets

Financial Services

**Commodities, Futures &
Derivatives**

Mergers & Acquisitions

EDUCATION

**1989, Cornell Law School,
J.D.**

1986, Duke University, B.A.

BAR ADMISSIONS

New York

infringement bench trial

- Cablevision in a multi-week AAA arbitration against the YES Network
- A NYMEX futures trader in an administrative enforcement proceeding before a CFTC ALJ
- Various clients in preliminary injunction hearings.