



Linda H. Martin

Co-Head, US Commercial Litigation

Commercial litigation, Mass claims



Working globally means that when something goes wrong, you're potentially liable on a global scale. At Freshfields, no matter what jurisdictions are involved, I can collaborate with colleagues who know their markets as well as I know US law – and that means there's no dispute too complex for us to handle.

Primary practice

Commercial litigation, Mass claims

About Linda H. Martin

Linda is a partner in the firm's dispute resolution practice. She is co-head of our US commercial litigation practice and co-head of our global class and collective actions group.

She has extensive experience resolving complex and cross-border commercial disputes across a broad range of industries and practice areas, and in all stages of business dispute resolution, including litigation, arbitration and mediation. Based in New York, she appears regularly in federal, state and bankruptcy courts across the United States.

Linda's clients are global in scope, and she is particularly adept at helping them navigate multinational challenges, especially those arising from the overlapping and sometimes conflicting procedural, factual and regulatory regimes in which they operate. She also works frequently with our transactional and finance teams in advising corporate executives and boards on transaction-related litigation risk and corporate governance matters.

Recent work

- Representing Clairvest Group and a consortium of sellers in obtaining dismissal of an action by Caesars Entertainment alleging breaches of certain representations and warranties in connection with the \$1.7 billion sale of two Indiana gaming facilities.
- Representing Air Products and Chemicals in defending against a cross-border lawsuit asserting claims of breach of contract, tortious interference, conversion, and breach of fiduciary duty arising from a dispute over construction of an \$8 billion joint venture in Saudi Arabia.
- Representing various European- and UK-based private equity funds in asserting and defending against various claims in U.S. courts, including breach of contract and breach of fiduciary duty.
- Represented the International Court of Arbitration of the International Chamber of Commerce in submitting an amicus brief to the Supreme Court of the United States in addressing the circuit split regarding the use of 28 U.S.C. § 1782 in private commercial arbitrations. Linda also represents numerous other clients, both offensively and defensively, in filing and responding to Section 1782 applications.

- Representing PepsiCo, Inc. and Bottling Group in the United States District Court for the Southern District of Iowa in defeating claims under the Sherman Antitrust Act, the Robinson Patman Act, the Lanham Act and Iowa competition law, and for tortious interference, breach of fiduciary duty, and business defamation; and in asserting and defending against claims for breach of contract.
- Advising WEX, Inc., as part of a cross-border team, in successfully defending against landmark COVID-19 related MAE claims filed in England & Wales; the dispute arose in connection with the \$1.7 billion agreement by WEX to purchase an online B2B payments company with numerous clients in the travel industry.
- Representing KLX, a world-leading aerospace and energy services company, on its \$4.2 billion sale of its aviation parts and services business to the Boeing Co. and the spinoff of its energy services business; Linda also represented the company and its executives in successfully dismissing a federal securities fraud class action litigation in the Southern District of Florida, alleging claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, relating to a \$640 million GAAP impairment charge taken by the company in 2015.
- Representing Volkswagen in connection with its global diesel emissions exposure, including the co-ordination of US and rest-of-world civil, criminal and regulatory matters; and its January 2017 \$4.3 billion resolution with the US Department of Justice and other government agencies of certain criminal and civil proceedings.
- Representing Alcoa Inc. in defending against tortious interference, unfair competition and unjust enrichment claims brought by Samsung seeking more than \$200 million in damages based on alleged interference in connection with Alcoa's supervision and management of a \$1 billion construction joint venture.
- Representing Breeze-Eastern's officers and directors in defeating a purported federal class action in the Southern District of New York, alleging claims under Section 14(e) of the 1934 Act and for breach of fiduciary duty, in connection with the sale of Breeze-Eastern's outstanding shares through an all cash tender offer.

Qualifications

Education

- JD, *cum laude*, Duke University School of Law, United States; editor for the *Duke Law Journal*
- BA, *cum laude*, Harvard University, United States

Professional

- Admitted to practice in the State of New York; the United States District Courts for the Southern, Eastern and Western Districts of New York; the United States District Court for the Northern District of Oklahoma; the United States District Court for the District of Columbia; the United States Court of Appeals for the Second Circuit; the United States Court of Appeals for the Third Circuit; and the United States Court of Appeals for the Sixth Circuit.

Service

- Board of Visitors, Duke University School of Law
- Chairperson Emeritus, Board of Directors, Children's Tumor Foundation, a not-for-profit organisation dedicated to funding research and finding a cure for neurofibromatosis
- Former President, Board of Directors, Duke University Law Alumni Association
- Former Co-Chair, Board of Directors, DukeNY, a tri-state alumni association for graduates of Duke

Contact Linda H.

linda.martin@freshfields.com

New York

601 Lexington Avenue, 31st Floor

New York, NY

T +1 212 277 4017

F +1 212 277 4001