



## Suzanne O. Galbato

### General Counsel

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### Profile

**Suzanne is a litigation attorney who handles litigation throughout New York state courts and in federal courts across the country, including multidistrict and class action litigation.**

She counsels and represents a wide variety of clients, including individuals, manufacturers, media companies, pharmaceutical companies, insurance companies, financial institutions, municipalities, not-for-profit organizations, small business owners, school districts and universities.

Suzanne's practice also includes representing clients in administrative hearings and resolving disputes through mediation. She has extensive experience arguing appeals in both state and federal court. Suzanne represents a variety of public and private companies as well as non-profit organizations in complex civil litigation. She handles commercial disputes, breach of contract, product liability, employment discrimination, unfair competition, trade secret and antitrust matters. Her practice also includes complex environmental litigation, encompassing defense of personal injury and property damage claims in multi-plaintiff cases arising from the contamination of soil and groundwater. Suzanne has experience defending personal injury claims based on exposure to hazardous substances in consumer products. She also represents clients in False Claims Act litigation and white collar criminal matters.

Prior to joining the firm, Suzanne clerked for the Honorable Rosemary S. Pooler, of the U.S. Court of Appeals for the Second Circuit.

### Representative Matters

- Defending insurance company against *qui tam* relator's allegations that it and 35 other insurers and self-insured entities violated the False claims Act by fraudulently failing to reimburse the Centers for Medicare and Medicaid Services in violation of the Medicare Secondary Payer Act
- Defending financial institution in fraudulent conveyance multidistrict litigation concerning LBO of publicly traded company
- Defending media company in gender, age, race and disability discrimination/retaliation cases
- Defended financial institution in putative class action in federal district court concerning bank overdraft fees

### Education

- Syracuse University College of Law (J.D., *summa cum laude*, 1998)
- Harvard University (A.B., *magna cum laude*, 1995)

### Bar/Court Admissions

- New York
- U.S. Court of Appeals for the Second Circuit
- 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 Western District of New York
- U.S. District Court for the Southern District of New York

### Practices

- School Law
- Toxic Tort and Environmental Litigation
- Litigation
- Intellectual Property
- Environmental and Energy
- Class and Collective Action Litigation

- Defended financial institution in class action challenging merger; obtained summary judgment dismissing complaint and allowing merger to proceed
- Defended designer / manufacturer of mercury retort oven in action alleging damages from mercury vapor contamination and obtained summary judgment dismissing all claims following extensive discovery
- Defended tool manufacturer in action alleging personal injury and obtained order dismissing case
- Assisted with defense of agricultural marketing and service organization, including motions and ongoing discovery in putative class actions in Northern District of California and Southern District of Illinois alleging antitrust violations against dairy cooperatives
- Defended pharmaceutical company in multidistrict litigation involving alleged personal injury due to alleged drug defect; worked with multiple national firms coordinating various aspects of litigation; responsible for discovery in all actions filed in New York state and federal court courts in Upstate New York
- Worked on team defending manufacturer in multi-plaintiff cases in New York State Supreme Court in cases alleging personal injury, medical monitoring and property damage due to soil/water contamination (PCBs, TCE, DCE, VC)
- Defended a manufacturer in multi-plaintiff action in federal court alleging personal injury, medical monitoring and property damage due to vapor intrusion; and participated in mediated settlement of all claims
- Defended nonprofit health care provider in False Claims Act litigation alleging Medicaid fraud and retaliation against relator
- Defend school districts in IDEA hearings and advise districts on compliance with IDEA and Section 504 regulations
- Obtained summary judgment affirmed by Second Circuit for school district in First Amendment claims by student concerning threatening instant message
- Obtained summary judgment declaring right of property owner to sell property and invalidating right of first refusal based on violation of rule against perpetuities

## Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Commercial Litigation, 2020-2024 (listed for 5 years)
  - *New York Super Lawyers*®, Environmental Litigation; Antitrust Litigation; Personal Injury Defense: General, 2010
  - *Martindale-Hubbell*®, AV Preeminent Rated
- Syracuse University College of Law Board of Advisors, 2020
- Northern District of New York Federal Court Bar Association, Board of Directors, 2018 - present
- Northern District of New York, ADR Mandatory Mediation Program, Mediator
- Onondaga County Bar Foundation, Board of Directors, 2015 - present
- Central New York Women's Bar Association, Board of Directors, 2014 - present
- New York State Bar Association, Women in the Law Section, 2014 - present
- Syracuse University Law Alumni Association, Board of Directors, 2013-present

- Syracuse University College of Law, Volunteer evaluator for trial/appellate competitions and panelist
- Volunteer Lawyers Project of Onondaga County, Landlord/Tenant Court Volunteer, 2006 - present
- New York State Bar Association, Co-Chair Appellate Practice Committee of the Commercial and Federal Litigation section, 2016 - 2019
- Hiscock Legal Aid Society, Board of Directors, 2010 - 2018; Board Chair, 2014 - 2017
- Onondaga County Bar Association
- Empire State Counsel Pro Bono 2018 Honoree
- YWCA Champion of Diversity, 2017
- Successful Business Women Awards, *Central New York Business Journal*, 2016
- Auburn High School Alumni Hall of Distinction, 2015
- Leadership Greater Syracuse, Graduate, 2009

## Representative Presentations

- Expert Witnesses in the New York State and Federal Courts, New York State - Federal Judicial Council and Advisory Group Second Circuit Continuing Legal Education Program, October 19, 2018
- Panel Member, NDNY-FCBA CLE, The Disciplined Deposition: Tips for Taking a Deposition in a Federal Court Proceeding, March 31, 2016
- Panel Member, NDNY-FCBA CLE, False Claims Act and Qui Tam Seminar, April 22, 2015
- The False Claims Act – What You Need to Know, Bond In-House Counsel CLE Series, November 18, 2014
- False Claims Act and *Qui Tam* Enforcement: All Points of View, Northern District of New York Federal Court Bar Association CLE, July 15, 2014
- Drafting 101: Complaints and Removal Papers, Northern District of New York Federal Court Bar Association CLE, March 18, 2013
- Federal Courts Jurisdiction and Venue Act, Northern District of New York Federal Court Bar Association CLE, August 13, 2012

## Other Activities

- Member, Women Presidents' Organization, Syracuse Chapter II, 2019
- Former Board Member, Child Care Solutions, 2007-2012