



JODYANN GALVIN

Partner, Intellectual Property Litigation Practice Leader

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Jody's practice is focused on complex business disputes. Her experience includes the representation of issuers in derivative litigation, mergers and acquisition litigation, and corporate governance disputes. Jody has assisted clients with responding to U.S. Securities and Exchange Commission (SEC) investigations and has represented qualified institutional buyers, broker-dealers and brokers in court disputes and arbitration proceedings before the Financial Industry Regulatory Authority (FINRA). She also represents businesses in complex contract disputes and accounting malpractice matters. Jody's practice includes deep experience in defense of class actions for public and private companies.

In addition to financial litigation, Jody handles intellectual property matters, including patent and trademark litigation and the misappropriation of trade secrets, ideas, and concepts. She has tried a variety of intellectual property matters in state and federal court. Jody has represented both plaintiffs and defendants in patent and trade secret matters in diverse areas, including medical devices, electronics, pharmaceuticals, life science, children's products, and sporting equipment.

Jody is an adjunct professor at the University at Buffalo School of Law, where she teaches a course on New York civil practice.

Honors

- Community Leader Honoree, The National Federation for Just Communities of WNY, Inc., 2019
- Distinguished Alumnus Award, University at Buffalo School of Law, Students of Color, 2017
- Listed, *Upstate New York Super Lawyers*, (Business Litigation) 2011 - 2020
- *Buffalo Business First/Buffalo Law Journal's* Legal Elite of Western New York, 2014 - 2016, 2018

The Guaranty Building
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605 Third Avenue
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New York City, NY 10158
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Practices & Industries

Business Litigation
Intellectual Property Litigation
Accountant Professional
Administrative & Regulatory
Aerospace & Defense
Class Action Litigation
COVID-19 Litigation &
Employment Action Team
Financial Services
Life Sciences
Non-Compete, Non-Solicit & Trade
Secrets
Securities/Directors & Officers
Litigation

Admissions

New York
U.S. District Court, Eastern District

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- Leadership Award, Minority Bar Association of Western New York, 2018
- Women Who Move the City Award, Big Brothers Big Sisters of Erie, Niagara & The Southern Tier, 2018
- Western District of New York Federal Court Special Service Award, 2015
- Erie County Bar Association Volunteer Lawyers Project Pro Bono Award for Federal Court, 2014
- Former publications editor, *Buffalo Law Review*
- Adolf Homburger Award for excellence in civil procedure

Experience

Hodgson Russ closed a merger transaction on behalf of a long-time, NASDAQ-listed defense and aerospace products manufacturing client based in Pennsylvania. As a result of the merger, the Pennsylvania-based manufacturer became a wholly owned subsidiary of a Florida-based technology company in a deal valued at approximately \$275 million. The closing completed a four-month project in which attorneys from many of our practices contributed in significant ways under intense time pressures and opposite some of the largest firms in the country. Our work included advising our client's board in connection with its fiduciary duties; negotiating the merger agreement; preparing a proxy statement for the special meeting of shareholders and dealings with the SEC and FINRA; defending the company and the board in two shareholder lawsuits alleging, among other things, breach of fiduciary duty by the board; appearing in federal and state court in Pennsylvania and ultimately settling the lawsuits; advising management on directors and officers insurance matters; advising the board and management on certain options and other benefit matters; handling HSR filings; and assisting on financing related to the transaction.

Hodgson Russ represented a commercial bank in litigation charging a global investment bank and certain of its affiliates with securities fraud in connection with the sale of mortgage-backed CDO notes. Our client asserted that the global investment bank knew that the notes, which were largely backed by subprime mortgage securities, were about to fail when it sold them, but failed to disclose that information. The suit resulted in a \$55 million publicly reported settlement.

Hodgson Russ represented a leading provider of DNA-based diagnostic services in two patent infringement lawsuits concerning patents used for testing canine DNA for genetic disorders. The first suit, against an offshore testing enterprise and a large research university, was settled favorably for our client. The second suit, against a Florida-based genetic testing company, was also resolved favorably.

of New York

U.S. District Court, Northern District of New York

U.S. District Court, Southern District of New York

U.S. District Court, Western District of New York

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Sixth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Federal Circuit

Education

Hamilton College, B.A., *Cum Laude*

University at Buffalo School of Law, J.D., *Magna Cum Laude*

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In the News

Thought Leaders: Banking

Buffalo Business First, July 18, 2019

Buffalo Law Firms Aim to Make Inclusion Commonplace

Buffalo Law Journal, May 20, 2019

Highlights of CARDD's 2018 Inclusion & Diversity Initiatives

January 15, 2019

Hodgson Russ Habitat for Humanity Women Build Team

WIVB, May 8, 2018

BLJ: The stigma of depression — Finding a path to hope

Buffalo Business First, April 23, 2018

Highlights of CARDD's Inclusion & Diversity Initiatives

January 17, 2018

Inclusive Intelligence Session Provides Vibrant Dialogue

Buffalo Law Journal & Business First, November 16, 2016

IP Law Association Honors Skretny at Mock-Trial Event

Buffalo Law Journal, October 12, 2015

Three Hodgson Russ Attorneys Lead New WNY Chapter of Federal Bar Association

May 30, 2013

Press Releases

Sixty-Two Hodgson Russ Attorneys Named to 2020 Upstate New York Super Lawyers

Hodgson Russ Press Release, September 8, 2020

Sixty Hodgson Russ Attorneys Named to 2019 Upstate New York Super Lawyers

Press Release, August 12, 2019

10 Hodgson Russ Attorneys Named to 2018 Buffalo Business First Legal Elite

Press Release, September 24, 2018

Sixty-One Hodgson Russ Attorneys Named to 2018 Upstate New York Super Lawyers

Press Release, August 20, 2018

Seventy Hodgson Russ Attorneys Named to 2017 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50

Press Release, September 6, 2017

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Sixty-three Hodgson Russ Attorneys Named to 2016 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50
Press Release, August 31, 2016

Sixty-Four Hodgson Russ Attorneys Named to 2015 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50
Press Release, August 19, 2015

Hodgson Russ Wins NYSBA President's Pro Bono Service Award
Press Release, May 8, 2015

14 Hodgson Russ Partners Named to *Business First's* WNY Legal Elite
Press Release, September 29, 2014

Hodgson Russ Attorneys Acknowledged in NYSBA Newsletter For Pro Bono Service
Press Release, August 14, 2014

Publications

Borrower Beware V: Prepare Your PPP Loan Forgiveness Questionnaire Before the SBA Asks For It, and Thoughtfully Identify the "Totality of Circumstances" Supporting Your Necessity Certification
Hodgson Russ COVID-19 Litigation and Employment Action Team Alert, February 8, 2021

SBA Releases Trio of New Interim Final Rules Addressing Eligibility, Forgiveness, and SBA Review of First Draw and Second Draw PPP Loans
COVID-19 Litigation and Employment Action Team Alert, January 29, 2021

Borrower Beware: False Claims Act Liability in Connection With the PPP is a Trap for the Unwary and the Arrogant
Hodgson Russ COVID-19 Litigation & Employment Action Team Alert, January 21, 2021

Robinhood Trading App in SEC and State Regulator Crosshairs
Hodgson Russ Securities/Directors & Officers Litigation Alert, December 18, 2020

Borrower Beware IV: Collect and Preserve Your "Necessity Certification" Evidence Before Submitting a Forgiveness Application
Hodgson Russ COVID-19 Litigation & Employment Action Team Alert, November 4, 2020

SBA Simplifies Forgiveness Application Process for Paycheck Protection Program Borrowers (and Their Lenders) on Loans of \$50,000 or Less
Hodgson Russ COVID-19 Litigation & Employment Action Team Alert, October 15, 2020

Borrower Beware III: The SBA's New Paycheck Protection Program (PPP) Appeal Process Stacks the Deck against Borrowers Who Challenge Forgiveness Denials
Hodgson Russ COVID-19 Litigation & Employment Action Team Alert, October 12, 2020

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Borrower Beware II: Whistleblower Workers Put PPP Borrowers in the Government's Crosshairs for False Claims Act and Criminal Investigations

Hodgson Russ COVID-19 Litigation & Employment Action Team Alert, September 10, 2020

Is Your Business Considering Hosting a Large Event or Gathering? If So, Be Sure to Consider a COVID-19 Waiver

Hodgson Russ COVID-19 Litigation and Employment Action Team Alert, August 6, 2020

Federal Court Rules Against Emotional Distress Claims for COVID-19 Exposure in Decision Favorable to Gathering Places, Hospitality Industry

Hodgson Russ COVID-19 Litigation and Employment Action Team Alert, July 28, 2020

Presentations & Events

Diversity & Inclusion Initiatives in the Legal Profession

New York State Bar Association, Hilton Garden Inn Buffalo Downtown, May 13, 2019

Streamlining Litigation: Views from the Bench in Upstate New York

200 Delaware Ave, Suite 900, November 28, 2018

Business Solutions Series - Strategies for Patent Prosecution and Disputes

Hodgson Russ, 140 Pearl St, Buffalo, NY, March 21, 2018

2017 Summer Tax Series

Understanding New York State Tax Issues of 2017

The Harvard Club 35 W. 44th Street New York, NY, June 7 to August 2, 2017

Optimizing Your Cross-Border Business: Trends in Cross-Border Business Structuring and Operations

Oakville, ON, September 24, 2015

State University of New York Business Officers' Association (SUBOA) Conference

Niagara Falls, NY, June 27, 2014

Second Circuit Judicial Council/New York State-Federal Judicial Council Seminar: Which Court? State or Federal and Why? - Selecting Your Client's Jurisdiction

Buffalo, NY, October 28, 2013

Federal Bar Association Webinar: Patent Piracy - When Is Offshore Activity Infringement?

July 1, 2013

Cross-Border Trade: A Mid-Year Review

Hamilton, ON, June 5, 2013

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Association of University Technology Managers (AUTM) 2011 Annual Meeting
Las Vegas, NV, February 2011

Professional Affiliations

- American Bar Association
- Federal Bar Association
- New York State Bar Association
- Bar Association of Erie County

Community & Pro Bono

Jody serves on the Board of Directors for Buffalo Prep, is the volunteer coordinator and volunteer for the Western District of New York Pro Se Assistance Program, is a classroom volunteer at the St. Luke's Mission of Mercy, Our Lady of Hope School, and is a mentor and mentor recruiter for DiscoverLaw, University at Buffalo School of Law.