



## Leah Godesky

Partner

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Leah Godesky is a trial lawyer who represents clients across an array of industries, including insurance, entertainment, securities, and pharmaceuticals. Her litigation experience spans a variety of forums, including federal and state-court proceedings, arbitrations, and regulatory investigations. Leah works diligently to provide clients with favorable results in challenging and time-sensitive circumstances.

Leah also maintains an active pro bono docket. She is currently serving as co-counsel with the ACLU Reproductive Freedom Project for Kentucky physicians asserting a constitutional challenge to a state statute.

### Experience

- Representing leading insurer in coverage litigation arising from COVID-19 pandemic business-interruption claims.
- Representing an insurance company in coverage disputes relating to environmental-pollution investigation and remediation costs. *KeySpan Gas East Corp. v. Century Indemnity Company (NY)*; *Brooklyn Union Gas Co. v. Am. Home Assurance Co., et al.*
  - Obtained important and broad-reaching New York Court of Appeals ruling rejecting policyholder's argument that damages from long-term environmental contamination cannot be allocated "pro rata" during years insurance was unavailable.
- Representing pop-music star Kesha in litigation involving defamation and abuse claims.

### Admissions

#### *Bar Admissions*

California  
Connecticut  
New York

#### *Court Admissions*

US Court of Appeals, First, Fourth, Sixth, and Eighth Circuits  
US District Court, Central District of California, Connecticut, New Jersey, Southern District of New York, and Western District of Wisconsin

### Education

Columbia University, J.D.: James Kent Scholar; Harlan Fiske Stone Scholar  
Colgate University, B.A., Political Science, Religion: *magna cum laude*

- Obtained summary-judgment-stage injunction for Twentieth Century Fox in employee-poaching dispute with Netflix regarding the enforceability of California fixed-term employment contracts.
- Defended biopharmaceutical company CTI Biopharma in securities-fraud class action and derivative litigation alleging misrepresentations regarding the regulatory-approval process. *In re CTI Biopharma Corp. Securities Litigation*.
- Obtained voluntary dismissal of a securities class-action complaint against a former Pfizer officer alleging misrepresentations regarding the safety profile of the company's pain medications. *In Re: Pfizer Securities Litigation*.
- Obtained dismissal of a fraud complaint against a global financial institution relating to the creation, sale, and management of a collateralized-debt obligation. *Aozora Bank Ltd. v. Barclays Bank PLC, et al.*
- National coordinating counsel for a global financial institution in federal-court litigation, FINRA arbitrations, and regulatory proceedings arising from the marketing, sale, and underwriting of auction-rate securities.
  - Obtained summary judgment on investor's federal and state securities-fraud claims. *Tutor Perini Corp. v. Banc of Am. Sec.*
  - Obtained summary judgment that investor waived its right to arbitrate claims by first pursuing them in federal court. *Merrill Lynch Pierce, Fenner & Smith Inc. v. N.R. Hamm Quarry*.
- Represented biopharmaceutical company Nektar Therapeutics in a breach-of-contract dispute regarding a licensed product.
- Represented the former employee of a major financial institution in a criminal investigation of the municipal-bond industry.

Leah is actively involved with O'Melveny's pro bono practice. Her representative pro bono experience includes:

- Serving as co-counsel with the ACLU Reproductive Freedom Project in successfully challenging the constitutionality of a Kentucky statute that infringed on women's ability to access critical healthcare services.
- Serving as co-counsel with the Center for Reproductive Rights and Planned Parenthood in successfully challenging the constitutionality of a Virginia statute that restricts women's access to healthcare services.
- Serving as co-counsel with the Center for Reproductive Rights in successfully challenging the constitutionality of a state statute that infringed on North Carolina physicians' First Amendment rights.
- Obtaining asylum for an eastern European refugee of Roma descent.
- Representing a domestic-violence victim in trial-court litigation and appeals relating to malicious-prosecution and abuse-of-process claims filed by her ex-spouse.
- Co-authoring United States Supreme Court amicus brief on behalf of the Guttmacher Institute arguing in support of the Affordable Care Act's contraception-coverage provision.
- Obtaining voluntary dismissal of federal-court malicious-prosecution claim arising out of a sexual-assault report.

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## Professional Activities

### Author

- “State Attorneys General and Contingency Fee Arrangements: An Affront to the Neutrality Doctrine? The Underlying Legal Theories and a Novel Proposal for Reform,” *Columbia Journal of Law and Social Problems* (May 2009)

### Fellow

- Leadership Council on Legal Diversity

### Member

- New York Women's Bar Association

## Honors & Awards

- Named a Sports/Gaming/Entertainment Trailblazer by *The National Law Journal* (2021)
- Recognized by *The American Lawyer* as "Young Lawyer of the Year" (2021)
- Named to *Variety's* Legal Impact Report (2020-2021)
- Recognized by *New York Law Journal* as a “Rising Star” and “New York Trailblazer” (2020)
- Received the American Bar Association’s Pro Bono Publico Award (2020)
- Named to *Crain's New York Business* “Notable Women in Law” (2019)
- Named to Top Music Lawyers List by *Billboard* (2019-2021)
- Selected as a “Winning Litigator” by *The National Law Journal* (2019)
- Named to the 40 & Under Hot List in General Commercial & Securities by *Benchmark Litigation* (2018-2021)
- Shortlisted by Chambers Women in Law Awards: Future Leader — Gender Diversity (2018)