



**Matthew V Povolny**  
Partner, New York

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#### Practice Areas

Litigation and Arbitration, Class Action Defense, Commercial Litigation, Products Liability, Mass Torts and Consumer Class Actions, Securities Litigation, Aviation Litigation, Real Estate, Employment Law - U.S., U.S. Employment Investigations

#### Education

University of Minnesota Law School (J.D., *magna cum laude*, 2007); Boston College (B.A., *cum laude*, 2004)

#### Bar Admissions

New York State; District of Columbia; U.S. District Courts for the Southern and Eastern Districts of New York

Matthew V. Povolny is a litigator in the firm's New York office. He has experience in complex litigation and class actions, including products liability defense, employment litigation, securities litigation and arbitration, real estate, construction, and general commercial matters. Matthew has also worked extensively on civil rights and employment compliance issues through a court-appointed monitorship, and served as the lead associate in *Larabee v. Governor of the State of New York*, in which the firm represented the judges of the State of New York in obtaining a favorable ruling regarding judicial compensation. Matthew has been named one of New York's *Super Lawyers* for business litigation. The list previously recognized him as a Rising Star.

Matthew is a *magna cum laude* graduate of the University of Minnesota Law School, where he was a member and director of the Philip C. Jessup International Law Moot Court competition team, a participant in the law school tax clinic, and served as a judicial extern at the Minnesota Tax Court. He received his bachelor's degree, *cum laude*, from Boston College. Matthew is proficient in French and is a member of the firm's Diversity and Inclusion Committee.

#### Litigation and Arbitration

Represent a leading real estate technology company in breach of contract litigation.

Defending a leading meal-kit service company in breach of contract litigation with vendor.

Responding to third-party subpoena in class-action litigation.

Represented a leading meal-kit service company in breach of contract litigation against supplier.

Represent a publicly traded media company in connection with taking certain non-party discovery relation to litigation against a multimedia company.

Represented one of the world's leading providers of systems integration and information technology services in its breach of contract.

Represent a major airline in federal breach of contract action.

Represented a major United States airline in connection with litigation in the Southern District of New York and Western District of North Carolina related to contract disputes arising out of the airline's lease of several Boeing 737 commercial aircrafts.

Represent Fortune Global 500 electronics manufacturing and services firm in bench trial of breach of contract claims against airplane dealer. Court ruled for client, awarding all damages sought.

Represent a leading international cosmetics company in a product liability personal injury action brought in New York Supreme Court.

Represented a leading cosmetics company in obtaining dismissal of a product liability action in New York State Court.

Represent a leading electronics manufacturer in consumer class actions in federal court.

Representation of a major U.S. broker-dealer in connection with a series of FINRA arbitration proceedings arising out of the sale of auction rate securities and the subsequent collapse of the auction rate securities market. The first two completed arbitrations, which in aggregate sought damages in excess of \$90 million, have resulted in outright victories for the client.

**Activities and Affiliations**

Secretary, Program Committee of the Federal Bar Council

Member, American Bar Association

Member, Federal Bar Council American Inn of Court