

Jennifer Scullion

Partner



For over twenty years, Jennifer has led complex litigations, arbitrations, and appeals for U.S. and multinational clients in a wide array of areas, including antitrust, consumer fraud, communications, civil rights, and international bondholder disputes. Her experience includes multidistrict litigations, class actions, and federal regulatory proceedings.

A prolific author, regularly Jennifer contributes articles to the *National Law Review*, *Law360*, and is a co-author of numerous PLC Practice Notes. She has also contributed two chapters on international civil litigation to the ABA's deskbook "International Aspects of U.S. Litigation," published in 2017.

With a passion for community involvement, Jennifer has an active pro bono practice that focuses on election law, voting rights, and amateur sports issues. She is a Board Member for the Lawyers' Committee for Civil Rights Under Law and Treasurer of the Three and a Half Acres Yoga Foundation.

Jennifer also established a fund at her alma mater, Boston University, to assist students with emergency financial needs.

Prior to joining Seeger Weiss in 2016, Jennifer was a litigation partner in the New York office of Proskauer Rose, following positions with Solomon, Zauderer, Ellenhorn, Frischer & Sharp (New York) and Munger, Tolles & Olson (Los Angeles).

Selected Representations

- *FieldTurf Artificial Turf Marketing and Sales Practices Litigation*, MDL No. 3:17-md-02779 (D.N.J.)(*pro hac vice*). Member of the Seeger Weiss team appointed Co-Lead Counsel by the Honorable Michael A. Shipp, representing a multidistrict case against synthetic sports surface maker **FieldTurf USA Inc.**, alleging that the manufacturer and its related companies sold defective synthetic turf for athletic fields that deteriorated faster than advertised. Case pending.
- *In re Novo Nordisk Securities Litigation*, No. 3:17-cv-00209-BRMLHG (D.N.J.)(*pro hac vice*). Member of the Seeger Weiss team appointed Co-Lead Counsel and to the Plaintiffs' Executive Committee by the Honorable Michael A. Shipp, in a class action representing several public and private pension funds and retirement systems who invested in global healthcare and drug company **Novo Nordisk Inc.** Novo allegedly mislead investors by falsely presenting financial information, engaging in a kickback scheme with health insurers middlemen, and conspiring to fix pricing. Case Pending.
- *In re German Automotive Manufacturers Antitrust Litigation*, MDL No. 3:17-md-02796 (N.D. Cal.) Member of the Seeger Weiss team appointed to the Plaintiffs' Steering Committee by the U.S. Judicial Panel on Multidistrict Litigation, representing car buyers accusing German luxury-car makers **BMW AG, Volkswagen AG, Audi AG, Porsche AG, Daimler AG** and their U.S. affiliates of a decades-long antitrust conspiracy. Case Pending.
- Direct purchaser class action claiming damages from a bid-rigging and customer allocation cartel among water treatment chemical manufacturers.

- Federal jury trial for an international sports league concerning claims that restructuring of the league violated U.S. antitrust laws, resulting in a defense verdict on all federal antitrust and state law claims.
- Arbitration and FCC appeals for a U.S. cable operator resulting in a complete victory in a proceeding to determine fair market value of a carriage agreement with a regional sports network.
- Representation of a professional sports league in consumer antitrust class action challenging league video distribution rules and agreements.
- Bench trial for U.S. investors resulting in an order protecting them against discrimination in an Argentine law restructuring of a media group.
- Federal class litigation for sovereign bondholders against the Republic of Argentina resulting in certification of eight classes representing millions of dollars in holdings.
- Successful representation of an international video programmer on Most Favored Nation, breach of contract, and related claims in excess of \$75 million.
- Representation of an international sports organization in civil RICO and antitrust claims.
- Dismissal on the merits of a consumer class action brought against a U.S. energy company.
- Representation and advice to multiple U.S. programmers and distributors in connection with federal litigation, arbitrations, mediation, and FCC proceedings.
- Representation of multiple generic pharmaceutical manufacturers challenging collusive lock-up of raw materials and unlawful use of Orange Book listing and Hatch-Waxman claims.

- Arbitration for a U.S. cable operator concerning Most Favored Nations clauses.

Bar Admissions

New York

California

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

U.S. District Court, Central District of California

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Federal Circuit

U.S. Court of Appeals, Sixth Circuit

Education

University of California, Los Angeles (UCLA) School of Law, J.D., 1995

Boston University, B.A., *summa cum laude*, 1991

UCLA, Order of the Coif national legal honor society

Boston University, Trustee Scholar and Phi Beta Kappa national honor society

Memberships & Associations

- New York State Bar Association
- American Bar Association
- American Bar Association (ABA), various committees
- Lawyers' Committee for Civil Rights Under Law
- American Antitrust Institute (AAI)
- Committee for the Support of Antitrust Laws (COSAL)

- American Association for Justice (AAJ, membership pending)
- Three and a Half Acres Yoga Foundation (founding Board Member and Treasurer)

Pro Bono

- Election law
- Voting rights
- Amateur sports issues
- Lawyers' Committee for Civil Rights Under Law
- Three and a Half Acres Yoga Foundation

Publications & Presentations

"New York Rejects Antitrust Defense To Breach Of Distribution Contract"
National Law Review
October 18, 2016

"DISH Not Required to Give Credit When Channels Go Dark: It's Not an Illusion!"
National Law Review
October 18, 2016

"Second Circuit Blazes New Trail in Set-Top Box Cases: Cable Service and Boxes Are Not Separate Products"
National Law Review
September 8, 2016

"FCC Media Bureau Clarifies Broadcasters' Negotiation Remedies"
National Law Review
September 6, 2016

“Ninth Circuit’s Rejection of FTC Authority Over “Throttling” Could Have Far Reaching Implications for Cable and Other Broadband Providers: Of “Lunch Stands and Merry-Go-Rounds””

National Law Review

September 6, 2016

“Switching Consumer Device to Ad-Supported Environment Is Not Deceptive under New York Law”

National Law Review

August 17, 2016

“California Court Allows Cable Network to Go Beyond Written Contract in Claims Against Distributor: “Red Herring” or “Alternate [U-verse]”?”

National Law Review

August 15, 2016

“When are Universities and Executive Agencies “State Actors” for Antitrust Immunity?”

National Law Review

June 24, 2016

“Express Yourself! Ongoing Split Over Class Arbitration Points to Importance of Clear Provisions”

National Law Review

April 25, 2016

“Four Takeaways from ABA Antitrust Section’s 2016 Spring Meeting”

National Law Review

April 20, 2016

“Not So Fast! Qualcomm Cannot Use “Curious Quirk” of U.S. Discovery Law In Korean Antitrust Proceeding”

National Law Review

April 9, 2016

“Expert Analysis: 3 Legal Challenges Facing Pay-TV Business Models”

Law360

December 15, 2015

Two chapters on international civil litigation in an upcoming ABA book

Co-author of numerous PLC Practice Notes on international litigation in U.S. courts.

Practices

[Drug Injury](#)

[Defective Products](#)

[Class Action Claims](#)

[Whistleblower Claims](#)

[Catastrophic Injury](#)

[Toxic Exposure](#)

[Personal Injury](#)

[Commercial Litigation](#)

Jennifer's practice also includes antitrust, consumer fraud, communications, and international bondholder disputes.

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