



## Peter W. Tomlinson

Firm Leadership

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Peter Tomlinson is Co-Chair of the firm and a Partner in the firm's Litigation department, concentrating his practice in complex litigation. He is also Co-Chair of the firm's Structured Finance Workouts and Litigation Practice group.

Mr. Tomlinson represents Ambac Assurance Corporation in several high-stakes litigations involving residential mortgage-backed securities transactions, including *Ambac v. Countrywide*, *Ambac v. Nomura*, and *Ambac v. U.S. Bank*. He has negotiated settlements of disputes involving residential mortgage-backed securities leading to recoveries of billions of dollars, including a settlement of \$1.84 billion on behalf of Ambac in 2022. As a result of this significant settlement, Mr. Tomlinson was named "Litigator of the Week" by *The American Lawyer*. He also advises institutional investors in connection with structured finance transactions, including advising on their rights under the transaction documents, representing directing certificate holders in connection with litigation, and negotiating settlements on behalf of certificate holders.

A go-to litigator on various complex commercial matters, Mr. Tomlinson has handled cases in various state and federal courts, at both the trial and appellate level. He was most recently featured in *The American Lawyer's* "Litigator of the Week" column for securing a significant victory on behalf of the Baldwin County Bridge Company LLC, when a judge granted injunctive relief against the Director of the Alabama Department of Transportation. Mr. Tomlinson represented BCBC, which owns and operates a toll bridge in Baldwin County, Alabama, in its pursuit of a court order to preliminarily enjoin bad faith conduct on part of the ALDOT director.

*Chambers USA* recognizes Mr. Tomlinson as a leading practitioner in Litigation: Securities Institutional Plaintiff. In the guide, clients note he "*has broad subject matter expertise and litigation skills, he's commercial and creative and he also has strong relationships with clients and counsel on both sides.*" The guide also maintains he is "*an experienced, savvy and creative litigator.*" *Benchmark: America's Leading Litigation Firms and Attorneys* lists Mr. Tomlinson as a "Litigation Star" for New York. Peers have described Mr. Tomlinson to *Benchmark* as a "terrific lawyer."

Mr. Tomlinson graduated from Dartmouth College and received his JD from Emory University School of Law, where he was elected to the Order of the Coif. He served as a Law Clerk to both the Hon. Raymond J. Dearie, U.S. District Court for the Eastern District of New York, and the Hon. Will Garwood, U.S. Court of Appeals for the Fifth Circuit. He joined Patterson Belknap in 1996. He serves on the firm's Management Committee, and served as Co-Chair of the firm's Pro Bono Committee from 2014-2017.

### Representative Matters

#### ***Residential Mortgage-Backed Securities***

Representing monoline insurers in litigations against sponsors and originators of mortgage-backed securities.

Advising monoline insurers and RMBS investors in connection with numerous RMBS transactions, including analysis of rights and remedies, assessment and negotiation of repurchase (put-back) claims, potential litigation, recovery of damages and negotiated settlements.

### ***Complex Litigation***

Obtained a preliminary injunction in a litigation dispute involving a bridge company and a director of a state department of transportation.

Obtained \$298.5 million settlement from a major accounting firm in a fraud and negligence case on behalf of a public company.

### ***Law Firm Defense***

Represented national law firm in suit by former hedge fund client seeking \$420 million in damages based on alleged malpractice, conflict of interest and fraud.

Represent law firms in a variety of disputes with former clients related to structured finance and other practice areas.

Advised insurers on potential exposure and liability of national law firm in high-profile litigation.

### ***Internal Investigations/Independent Compliance Consultant***

Served as independent compliance consultant to two large mutual fund companies pursuant to SEC settlement orders.

### ***Independent Investigations/Human Rights Abuses***

Participated in fact-finding mission to investigate the killings of human rights defenders from the Aceh region of Indonesia and co-authored a report detailing the mission's findings, which was published in The Record.

### **Admissions**

- U.S. District Court, Southern and Eastern Districts of New York; Western District of Michigan
- New York

### **Professional Activities**

MEMBERSHIPS: Association of the Bar of the City of New York (Secretary, International Human Rights Committee, 2001-2004)

### **Education**

- Emory University School of Law (J.D., 1994)
  - *Emory Law Journal*
  - Order of the Coif
- Dartmouth College (B.A., *cum laude*, 1990)