

Daniel Lockaby

Associate



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New York

Commercial Litigation
Class Action Litigation
White Collar Defense and Investigations
Cyber/Data/Privacy
Internet and Social Media

Daniel represents companies and individuals in complex civil and commercial actions, governmental investigations and other general litigation disputes. Daniel helps his clients navigate their most challenging and important problems across a variety of industries – including consumer goods manufacturing, data analytics, software as a service (SaaS), entertainment, finance, tech, life sciences and pharmaceuticals. He has experience in all aspects of commercial litigation, from pre-litigation disputes to discovery, trials, mediation, and appeals in federal, state and bankruptcy courts, as well as arbitration. Daniel has advised companies and individuals in investigations by government agencies, such as the US Securities and Exchange Commission (SEC) and the Federal Trade Commission (FTC).

Daniel's recent representative experience includes advising:

- A corporate energy client in a derivative lawsuit and related appraisal litigation arising after the completion of a merger in the Delaware Court of Chancery
- A founder of a biotech company in multiple actions arising in federal court and in arbitration concerning allegations from the founder's former employer (also a biotech company) that the founder breached his contracts and misappropriated trade secrets when he founded a new company
- An individual political client and their business partners in a federal prosecutor investigation involving potential insurance fraud in the US District Court for the Southern District of New York (SDNY)
- A national coffee chain responding to a number of books and records requests and derivative lawsuits brought against the company following earnings announcements in the Delaware Court of Chancery
- A biotechnology company defending against breach of contract allegations because it refused to pay the claimant – the counterparty to an asset purchase agreement – an additional extra-contractual payment
- A corporate stockholder representative in a dispute with a large California-based media company to secure the issuance of additional contractually owed shares to Cooley's client under the parties' applicable merger agreement and the media company's founding documents
- A biotechnology company in a large breach of contract action concerning noncompete obligations and misappropriation of trade secrets in the US District Court for the Northern District of California
- Multiple corporate clients from a range of industries responding to books and records demands in the Delaware Court of Chancery
- A corporate data analysis client in a federal class action securities litigation in the SDNY
- A software company in an arbitration involving claims that the company's former partner, a large

Midwestern grocery chain, breached the parties' contract and misappropriated the software company's trade secret proprietary technology

- A biotechnology debtor in adversarial proceedings concerning contract obligations and intellectual property rights in the US Bankruptcy Court for the District of Delaware

Before joining Cooley, Daniel clerked for Justice Tamika Montgomery-Reeves of the Delaware Supreme Court and the Delaware Court of Chancery. From 2020 to 2022, he was an associate at Sullivan & Cromwell. While in law school at the University of Georgia, Daniel served as the symposium editor for the Georgia Law Review. He also was a member of the Inn of Court and the Order of the Coif, and he participated in the Appellate Litigation Clinic, where he successfully argued before the US Court of Appeals for the Fourth Circuit in *Brooks v. Jacumin*, No. 17-7261 (4th Cir. 2019).

Education

University of Georgia JD, 2019

Florida State University BS, 2015

Admissions & Credentials

New York

Memberships & Affiliations

New York City Bar Association