

MVP: Cleary's Roger Cooper

By Emily Sawicki

Law360 (October 24, 2024, 12:48 PM EDT) -- Roger Cooper of Cleary Gottlieb Steen & Hamilton LLP's securities and mergers and acquisitions litigation practice led a team of Cleary attorneys to a New York state appellate victory on first impression arguments the firm has been making for a decade, earning him a spot as one of the 2024 Law360 Securities MVPs.

His biggest accomplishment:

Cooper has been lead partner in numerous successful actions over the past year, but none stands out more than the Cleary team's March appellate victory on a case of first impression before New York's First Judicial Department over a settlement calculation for client Assured Guaranty Financial Products.

Represented by Cooper and other Cleary lawyers, AGFP earned a win in a 2021 trial against \$1.4 billion securities claims brought by Lehman Brothers International (Europe) accusing AGFP of improperly calculating a settlement. The suit became a case of first impression for issues surrounding valuation of credit default swaps.

"Honestly, the argument itself was most satisfying, because the court really came out very skeptical of all the arguments that Lehman was making and very strongly in our favor," Cooper said. "It was just incredibly rewarding to hear the court looking at the case from our perspective — and these were arguments that we've been making for about a decade in this case, arguing why Lehman's positions didn't make any sense."

Cooper emphasized the accomplishment was not his alone. The victory was a "huge team effort" for the securities litigation group, he said, calling litigation "a total team sport."

"We really depend on our colleagues to do everything — prepare for trials to try a case, to brief writing, and especially when you're arguing an appeal," Cooper said. "Even if you're the sole lawyer standing up in front of court to argue it, the team does an incredible amount of work preparing you for that."



His biggest challenge:

The past year has been a juggling act for the experienced litigator, who has spent 21 years at Cleary.

"It's been a really successful year, and a lot of exciting opportunities with cases and a lot of exciting victories, but with that level of activity, balancing everything is truly a challenge, and no different here," Cooper said. "I'm also the co-coordinator of our U.S. civil litigation practice, and I lead the securities and shareholder litigation practice for the group, so I have those administrative duties."

The work doesn't stop at billable hours. Cooper is also co-chair of the firm's New York pro bono committee. To top it off, he is a family man and an avid runner and cyclist, currently training for the upcoming New York City Marathon — for the second time.

"Finding time to do all those things is tricky. Definitely a challenge," he said. "You have to be really disciplined. You have to be committed. And it's been a year like that. It's been exhilarating, but a lot has happened."

His proudest moment:

Cooper said when he thinks of success, he is most proud of his group's teamwork.

Of particular note, he said, is "phenomenal" fellow securities partner Lina Bensman, who — together with the associates on the team — dug in on an expedited timeline to successfully defend Juul Labs Inc. in a multibillion-dollar dispute with investors.

"The team did just a phenomenal job in doing expedited discovery and preparing, and getting our case ready for trial and putting on a two-day trial," Cooper said, later adding, "I'm just really proud of everything that everyone did to bring that all together and to put on such a compelling case at trial in court."

Why he's a securities attorney:

A career spanning decades in private practice was never the goal for Cooper, who earned a doctorate in political philosophy from Duke University before pursuing his law degree at Columbia Law School.

"Candidly, I thought I actually would eventually become a law professor," Cooper said.

But his colleagues and mentors at Cleary and the cases they tackled together made it clear to Cooper from the very beginning that his place was in the courtroom.

"The first big case I had as a very junior associate was a case in the Delaware Court of Chancery that went to trial during my second year as an associate," Cooper said. "I was taken with the work. I found it to be really exciting, super interesting, and that ended up being the career path that I followed, but it wasn't something that I had set out to do before starting my career here at Cleary."

Whereas academic work tends to be "really solitary," Cooper said, he has thrived working on a team of litigators at the firm, and digging in together on "very complicated, challenging matters" for Cleary clients.

His advice for junior attorneys:

Early-career lawyers should strive to dig in, ask questions and say yes when offered opportunities for additional work on cases, Cooper advised.

"As a young lawyer, you need to be interested, curious — be committed to what you're working on," Cooper said. "It's never good just to focus on the little piece, the little thing you're asked to do, the small assignment. Step back and figure out how this fits into a bigger picture, and understand what else you can contribute."

A good way to get started is to approach fellow team members or leaders and display an interest in learning more, he said.

"Maybe it's asking them questions. Maybe it's stopping by their office. Maybe it's asking to grab a cup of coffee and to talk about the matter, to answer questions," Cooper said. "I think that senior lawyers appreciate that, and they might not think about initiating it on their own, but when more senior lawyers [see associates] take that initiative, it's a real plus. It's positive. So, I think you can grab your career, take control of it and find mentors and reach out and look for opportunities."

--As told to Emily Sawicki. Editing by Amy French.

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