

## Sam M. Koch Senior Counsel

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New York

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Sam Koch is a senior counsel and litigation attorney with Foley & Lardner LLP. He is based in the New York office and is a member of the Commercial Litigation, Government Enforcement Defense & Investigations, and Appellate practice groups.

Sam is a skilled litigator and counselor to clients ranging from early stage startups to Fortune 500 companies. He maintains a diverse practice, with an emphasis on complex civil litigation and white collar criminal and regulatory defense. Sam represents corporations and individuals in both plaintiff- and defense-side litigation in federal and state court and in arbitrations. He also represents employers in employment law matters.

Prior to joining Foley, Sam worked at a top international law firm where he served integral roles on several trial teams. He was a key member of a trial team representing an analyst at a global investment firm in a five-week criminal insider trading trial in the Southern District of New York. He also represented the plaintiff in a trade secrets case in the Southern District of New York, resulting in a multimillion-dollar verdict for the client at the conclusion of a one-week jury trial.

From 2012-2013, Sam served as a law clerk to the Honorable Justice Barry T. Albin on the New Jersey Supreme Court.

Before attending law school, Sam taught second and third grade at River East Elementary School (P.S. 37) in East Harlem, New York, as a Teach for America corps member.

### Representative Experience

- Represented EIG Global Energy Partners in a \$221 million fraud action against Petrobras SA, the Brazilian state-owned oil company

- Represented CBS Corp. in the successful resolution of an arbitration dispute with former CEO Leslie Moonves, resulting in dismissal of the arbitration proceeding and a \$120 million grantor trust reverting to CBS in its entirety
- Represented an analyst at a global investment firm in an insider trading jury trial in the Southern District of New York
- Represented a senior executive of a major pharmaceutical company in parallel criminal and civil investigations conducted by the U.S. Attorney's Office for the Southern District of New York and the Securities and Exchange Commission
- Obtained, as a member of the trial team, a multimillion-dollar jury trial victory for TydenBrooks in a trade secret and unfair competition case in federal court against a competitor regarding manufacturing processes

### Awards and Recognition

- Best Lawyers®: Ones to Watch recognition for Appellate Practice and Criminal Defense: White-Collar (2024)
- Thomson Reuters' New York Super Lawyers, Rising Star\* (2016-2023)
- Legal Aid Society Pro Bono Publico Award (2022)
- Marvin Frankel Pro Bono Award (2015-2019)
- New York State Bar Association's Empire State Counsel Honor (2007-2009, 2011, 2012, 2014-2017)

### Affiliations

- Board of Trustees, Brooklyn Prospect Charter School
- Member, New York City Bar Association, Education and the Law Committee
- Board of Directors, California Law Review (2011-2013)

### Presentations and Publications

- Co-author, The Supreme Court Prohibits the FTC From Seeking Monetary Relief in Federal Court Under Section 13(b) of the FTCA (April 23, 2021)
- Co-author, The End is Near: Trade Secret Cases in the New York State Court System (Sept. 26, 2018)
- Co-author, Top 10 Dos and Don'ts for Compensating Fact Witnesses (July 14, 2014)
- Co-author, M&A and Corporate Governance Alert: Delaware Supreme Court Finds Business Judgment Rule Applies to Freeze-Out Mergers When Conditioned upon Approval of Special Committee and Majority-of-the-Minority Stockholders Vote (March 28, 2014)

### Sectors

- [Artificial Intelligence](#)
- [Innovative Technology](#)

### Practice Areas

- [Appellate](#)

- [Commercial Litigation](#)
- [Government Enforcement Defense & Investigations](#)
- [Litigation](#)

## Education

- University of California, Berkeley, School of Law (J.D., 2012)
  - Managing Editor, *California Law Review*
- Northwestern University (B.A., 2007)

## Admissions

- New York
- New Jersey