

Ellen B. Unger

Counsel

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A trusted advocate to clients, Ellen provides equal measures of pre-litigation guidance and litigation defense. Ellen brings clients decades of experience in practicing complex corporate and commercial litigation. Her practice includes a broad array of financial services disputes involving federal, state and common law claims. Ellen also offers clients her ready knowledge and proficiency in multi-party, multidistrict, class action and parallel proceedings.

In her roles as counselor and litigator, Ellen provides advice and advocacy to a variety of corporate and business interests and entities, including financial service providers, global and regional banks, multinational insurers, broker-dealers, private equity firms, hedge funds, nationwide retailers and manufacturers, pharmaceutical and health care companies, as well as mid-cap businesses and small business owners.

Ellen is dedicated to early case management, including comprehensive risk assessment, shrewd and prudent case strategy, and calculated and purposeful pretrial practice. She represents clients in federal court, state court, administrative proceedings and arbitral forums. Matters regard disputes arising from financial products; consumer claims involving fees, charges and payment processing; fraud and misrepresentation; vicarious liability; contested interactions with financial and insurance regulators; consumer finance; lender liability; enforcement of arbitration agreements; class action waivers; unfair or deceptive acts or practices; Uniform Commercial Code disputes; user agreements and related disputes; default and judgment enforcement; and contract advisory services.

Before joining Stradley Ronon, Ellen practiced at major law firms in New York and New Jersey, a midsize firm in New York, a boutique FINRA firm and in-house. She was also an adjunct professor at Seton Hall University School of Law, where she taught complex litigation.

REPRESENTATIVE MATTERS

- Represented nationwide broker-dealer firms in Financial Industry Regulatory Authority (FINRA) arbitrations defending against customer claimants and filing claims against industry respondents.
- Represented national brokerage in state action, removing case to federal court and successfully winning dismissal on a motion to compel arbitration.

FOCUS

Financial Services Litigation
Complex Commercial & Class Action Litigation

BAR ADMISSIONS

New York
New Jersey

COURT ADMISSIONS

U.S. Supreme Court
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Third Circuit
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of New York
U.S. District Court for the Southern District of New York

EDUCATION

J.D., University of Michigan Law School
B.A., *with distinction*, University of Michigan

MEMBERSHIPS

Member, American Bar Association
Member, New York City Bar Association
Member, Federal Bar Council
Former Member, Board of Directors, Federal Bar Foundation
Former Chair, Membership Committee, Federal Bar Council



- Defended a hedge fund advisory firm and individuals against asset mismarking and insider-trading charges brought by the U.S. Securities and Exchange Commission (SEC) and brought by the U.S. Department of Justice (DOJ) in parallel criminal charges, leading to settlement and plea agreements.
- Successfully defended multinational pharmaceutical company against a series of multidistrict litigation (MDL) class actions filed in the wake of a federal criminal plea and civil settlement, coordinating transfer and consolidation of cases, winning transfer of the MDL cases to a favorable forum, and subsequently winning dismissal of the MDL complaint.
- Counseled national insurer regarding a securities lending agreement with a major Wall Street bank, guiding the client through pretrial litigation and to a favorable negotiated settlement.
- On behalf of an international bank, litigated claims related to complex securities investment vehicles, including alleged violations of the Securities Exchange Act of 1934, control person liability, and various supplemental common law claims.
- Successfully represented a multinational manufacturer in several nationwide consumer fraud class actions, leading to partial dismissal and favorable settlement.
- Counseled client insurance producer on enforcement actions brought by multiple state insurance regulators seeking to revoke insurance licenses, successfully resolving the actions with minimal fines and removing all limits previously placed on licenses during the administrative actions.
- Represented a mid-cap company against clients alleging breach of fiduciary duty, breach of contract, fraudulent misrepresentation and respondeat superior, leveraging targeted discovery to provide dispositive facts warranting dismissal.
- Represented a national corporation filing complaints for breach of promissory notes and warranties, winning default judgments and undertaking various enforcement proceedings, including writs of execution, garnishment and property seizure.
- Advised a client on internal review of customer and outside contractor contracts, overseeing and drafting updated templates containing strengthened provisions, particularly related to dispute resolution, choice of law, forum selection, attorney fees, indemnification, etc.
- Represented a corporate client in an interpleader action in state court and in related actions filed in probate and chancery court, leading to a negotiated settlement among the claimants.

IN THE COMMUNITY

In her pro bono work, Ellen has represented the Anti-Defamation League as amicus before the U.S. Supreme Court, as well as represented the Art Students League of New York, an art school in the American Fine Arts Society Building in Manhattan, which provides affordable studio-based art education. Additionally, Ellen served as pro bono counsel for Turning Point Inc., a nonprofit organization that provides services to individuals battling substance abuse.