



## Andrew M. McNeela

PARTNER

[amcneela@kmlp.com](mailto:amcneela@kmlp.com)

### New York

250 Park Avenue

Suite 820

New York, NY 10177

[212.699.1143](tel:212.699.1143)

## BIOGRAPHY

Andrew M. McNeela is a partner in our New York office focusing on securities, antitrust, commodities, and structured finance litigation.

Mr. McNeela joined the firm in 2008.

Prior to joining KM, Mr. McNeela served as an Assistant United States Attorney in the Civil Division of the United States Attorney's Office for the Southern District of New York. In this capacity, he represented the United States in a wide array of civil litigation. Mr. McNeela has argued over twenty cases before the United States Court of Appeals for the Second Circuit.

## Practice Areas

- [Structured Finance](#)
- [Securities](#)

## Education

- Washington University (B.A. 1995)
- Hofstra University School of Law, member of the Law Review (J.D. *cum laude*, 1998)

## Admissions

- New York State Bar
- United States District Courts for the Southern and Eastern Districts of New York
- United States Court of Appeals for the Second Circuit

## Awards & Recognition

Law360 Rising Stars - 40 Under 40, 2013



**Kirby McInerney LLP**

## **EXPERIENCE**

### **Some of Mr. McNeela's experience includes:**

- Representation of exchange-based investors in *Shak v. J.P. Morgan Chase & Co.*, alleging monopolization and manipulation of the silver futures market in violation of federal antitrust and commodity exchange laws. The parties successfully reached a private settlement. The case preceded a related Department of Justice criminal investigation into J.P. Morgan that remains ongoing.
- Lead counsel in a seven-day bench trial in the S.D.N.Y., representing mutual fund investors who alleged that their advisor, Calamos Advisors LLC, charged excessive fees (decision under submission). At the conclusion of trial, the judge praised counsel for “an extraordinarily well-trying case.”
- Representation of a Japanese bank that asserted fraud in connection with its purchase of synthetic CDOs from several prominent New York City-based financial institutions, which resulted in favorable confidential settlements.
- Representation of the New York City Pension Funds as lead plaintiff in a class action against Wachovia Corporation arising from Wachovia’s alleged misrepresentations of their exposure to the subprime market. This case resulted in a settlement of \$75 million.
- Representation of the NY State Common Retirement Fund as lead plaintiff in *In re National City Corporation Securities, Derivative & ERISA Litigation*, a securities class action arising from National City’s alleged misrepresentations regarding exposure to subprime mortgage related losses. This case resulted in a settlement of \$168 million.
- Lead counsel in *Dandong v. Pinnacle Performance Limited*, a class action lawsuit against Morgan Stanley pertaining to \$154.7 million of notes issued by Pinnacle Performance Ltd. Plaintiffs allege that Morgan Stanley engineered the Pinnacle notes, which it marketed as a safe investment, to fail, investing money into collateralized debt obligations linked to risky companies, while actively shorting the same assets and betting against their clients. This case settled for \$20 million.
- Representation of the exchange-based class in *In re LIBOR-Based Financial Instruments Antitrust Litigation*, an antitrust case alleging that defendant banks colluded to misreport and manipulate LIBOR. The case resulted in settlements totaling \$190.45 million, which combined represent the largest recovery in a “futures-only” commodities class action litigation.
- Lead counsel on behalf of a proposed class of Brent crude oil futures traders alleging benchmark manipulation in *In re North Sea Brent Crude Oil Futures Litigation*.

- Lead counsel in the securities class action *In re Herley Industries Inc. Securities Litigation* on behalf of investors. This litigation resulted in a recovery of \$10 million for the class.
- Co-lead counsel for a class of investors in Goldman Sachs common stock in a securities class action, *Lapin v. Goldman Sachs Group, Inc.*, pertaining to Goldman's alleged instruction to their research analysts to favor procurement of investment banking deals over accuracy in their research. This litigation resulted in a recovery of \$29 million for the class.