



Lindsay Sampson Bishop

Partner

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OVERVIEW

Lindsay Bishop is a litigation partner in the firm's Boston office. She concentrates her practice in general commercial disputes with focuses on international arbitration, insurance coverage, construction, real estate, and consumer finance litigation. Lindsay's international arbitration experience includes the representation of a megaproject EPC contractor in a multi-billion dollar dispute. Lindsay has represented policyholders in coverage disputes arising under commercial general liability insurance policies, professional errors and omission policies, and directors' and officers' liability insurance policies. Lindsay has represented lenders and commercial property owners in litigation arising from real estate transactions and has served as national coordinating counsel for national consumer financial services institutions in connection with government and consumer inquiries into various bankruptcy servicing practices and has defended banking, mortgage lending and consumer financing services companies in state and federal class actions. Lindsay has also represented corporate and individual clients in white collar criminal, contract, tort, cybersecurity, legal malpractice and other general litigation matters in federal and state court actions throughout the United States, including Massachusetts, Connecticut, New York, Delaware, Ohio, and California.

Lindsay has extensive experience in all aspects of commercial litigation in state and federal courts, including bench and jury trials, and has managed extensive discovery for clients, including written discovery and complex discovery issues related to electronically stored information.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Lindsay was an NCAA Division One varsity women's soccer player at Fairfield University where she served as a captain and was named 2004 Scholar Athlete of the Year.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Litigation: General Commercial in Massachusetts (2023)

PROFESSIONAL / CIVIC ACTIVITIES

Lindsay is a practice group coordinator for the firm's Commercial Disputes practice group, and serves as co-chair of the Boston office's Associate Review Committee.

SPEAKING ENGAGEMENTS

- Panelist, “How to Resolve International Aviation Disputes Efficiently and Effectively: Litigation vs. Arbitration, the Hague Court of Arbitration for Aviation and How to Choose from the Growing 'Menu' of Available Options,” Airline Economics Growth Frontiers Global Dublin, 31 January 2024
- Moderator, “Ask the Arbitrator” Q&A Session, National Association of Women Lawyers (NAWL) International Arbitration Affinity Group, June 2022
- Panelist, Women's Leadership in the 21st Century, Dolan School of Business, Fairfield University, 21 February 2019

ADDITIONAL BACKGROUND

Publications

- “International Criminal Court Not Embraced By All,” *Understanding International Criminal Law*, Lexis Nexis, 2015
- “Rea v. Michaels Stores, Inc.,” American Bar Association, Section of Litigation, *Class Actions & Derivative Suits Committee*, March 25, 2014
- “Ninth Circuit Enlarges Defendants' Ability to Seek Removal of State Class Actions to Federal Court,” *American Bar Association, Section of Litigation, Class Actions & Derivative Suits Committee*, August 19, 2013.

EDUCATION

- J.D., Northeastern University School of Law, 2007
- B.A., Fairfield University, 2004 (*Summa Cum Laude, Phi Beta Kappa*)

ADMISSIONS

- Bar of Connecticut
- Bar of Massachusetts
- Bar of New York
- United States Court of Appeals for the First Circuit

- United States District Court for the District of Connecticut
- United States District Court for the District of Massachusetts

THOUGHT LEADERSHIP *POWERED BY HUB*

- 25 January 2023, Litigation Minute: New Year's (Dispute) Resolutions
- 13 December 2022, Litigation Minute: Year in Review—Trending Topics Across the 2022 Litigation Spectrum
- 15 June 2022, U.S. Supreme Court Narrows Scope of 28 U.S.C. § 1782 to Proceedings Before "Governmental or Intergovernmental Adjudicative Bodies"
- 25 May 2022, U.S. Supreme Court Eliminates Prejudice Requirement for Waiver of Arbitration Agreements
- 23 May 2022, Arbitration World: U.S. Supreme Court to Address Prejudice Requirements For Waiver of Arbitration Agreements
- 29 April 2022, Arbitration World: U.S. Cases and International Arbitration — U.S. Supreme Court Set to Decide Section 1782 Circuit Split
- 28 February 2022, U.S. Supreme Court to Address Prejudice Requirement for Waiver of Arbitration Agreements
- February 2022, February 2022 Accolades
- 12 May 2020, COVID-19: Working with Third-Party Service Providers and Their Personnel for a Safer Reopening
- 6 May 2020, COVID-19: Massachusetts Joins the Five Other New England States in Temporarily Permitting Remote Notarization
- 10 April 2020, COVID-19: New England States Embrace Remote Notarization as Connecticut, Maine, New Hampshire, Rhode Island, and Vermont Temporarily Eliminate "In-Person" Requirements
- 25 March 2020, COVID-19: Insurance Policy Considerations for Higher Education Institutions
- 24 January 2020, Highest Massachusetts Court Upholds Consent-To-Settle Clauses, but Issues Warning to Insurers
- 2 April 2019, Highest Massachusetts Court Confirms Coverage for "Advertising Injury" Claims Based on Use of a Name
- 30 January 2017, Third Circuit Moves Toward a Broader View of Standing in FCRA Data-Breach Class Action
- 30 January 2017, Federal Courts Follow Two Approaches Post-Spokeo When Analyzing Standing
- 19 September 2016, The Eighth Circuit Charts a Course for Data Privacy Cases in the Wake of *Spokeo* for Technical Violations of a Statute That Result in no Harm

- 15 March 2016, Proactive Protection of Consumers or Premature Penalty? Consumer Financial Protection Bureau Bucks the Trend in Data Security Breach Cases
- 3 December 2015, No Harm, No Foul: Undisclosed Sale of Personally Identifying Information Does Not Give Rise to Standing to Sue

NEWS & EVENTS

- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 17 February 2016, K&L Gates Names 50 New Partners

AREAS OF FOCUS

- Commercial Disputes
- Construction and Infrastructure
- Financial Institutions and Services Litigation
- Insurance Recovery and Counseling
- International Arbitration
- Real Estate Litigation

REPRESENTATIVE EXPERIENCE

- Representation of a contractor in an arbitration before the International Chamber of Commerce arising from the megaproject construction of an oil refinery valued at \$8 billion.
- Represented major real estate development and management company in connection with multi-party contract dispute involving \$500 million dollar mixed-use development in federal court.
- Representation of a lender in defense of litigation in Delaware Chancery Court alleging dispute over the payment of leasing fees. Representation included successful motion to dismiss.
- Acted as coordinating counsel for the Republic of Ecuador and their Central Bank in a case before British Commonwealth Courts involving claims of fraud against a prominent Ecuadorian banking family. The 20 year case culminated with a 2015 ruling by the Judicial Committee of Her Majesty's Privy Council in London that overturned concurrent verdicts against the Republic from a Bahamian trial and appeals court. The Privy Council entered judgment in favor of the Republic in the amount of \$191 million that with interest now totals over \$600 million.
- Representation of an Assistant United States Attorney in federal disciplinary action. Representation resulted in the successful dismissal of the federal disciplinary proceedings.

- Representation of a telecommunications company in a lawsuit in the U.S. District Court for the Southern District of New York to enforce obligations under an asset purchase agreement. The action concluded within four months of filing the complaint with the recovery of the entirety of the amount owed and attorneys' fees.
- Representation of an agricultural cooperative and food processing corporation in litigation to recover defense costs under a Commercial General Liability Policy. Matter settled after jury verdict in favor of policyholder.
- Representation of a developer in defense of multi-million dollar claims by excavation subcontractor and exterior wall systems subcontractor in two separate actions. Both matters resulted in favorable negotiated settlement to owner and ultimately in a close-out settlement with the general contractor.
- Representation of an individual in connection with zoning litigation arising from the renovation of a historic home in Cambridge, Massachusetts that resulted in a favorable settlement.
- Representation of a national bank in connection with litigation concerning construction loans and personal guaranties. Representation included successful preliminary injunction, order attaching \$40 million in real property, and subsequent judgment in favor of bank on all remaining claims against borrower.