

## Patrick J. Hayden

### Special Counsel

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New York

Issues and Appeals

Commercial Litigation

Securities Litigation + Enforcement

Pro Bono

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Patrick focuses his practice on appellate and complex litigation. He represents clients in high-stakes appeals and civil litigations, with a practice spanning commercial, regulatory and constitutional matters. Patrick has drafted numerous appellate briefs and dispositive motions, argued in federal court and represented clients at depositions. Patrick served as a law clerk to US Circuit Judge Kim M. Wardlaw of the US Court of Appeals for the Ninth Circuit and US District Judge Ronnie Abrams of the US District Court for the Southern District of New York (SDNY). In 2021 and 2022, Patrick was recognized by Best Lawyers on its Ones to Watch list.

During his time at Yale Law School, Patrick served as an editor of the Yale Law Journal, executive editor of the Yale Journal of Law & Technology, and co-director of the Media Freedom and Information Access Clinic. He also published an academic comment titled “Parens Patriae, the Class Action Fairness Act, and the Path Forward: The Implications of *Mississippi ex rel. Hood v. AU Optronics Corp.*” in the November 2014 edition of the Yale Law Journal. Before law school, Patrick worked as an investment banking analyst at JP Morgan. While pursuing his undergraduate degree at Yale University, Patrick was a member of the varsity swimming and diving team.

**Patrick’s notable representative matters include:**

- Representing major technology company and its officers in an appeal defending decision dismissing a putative securities fraud class action in the Ninth Circuit
- Representing a major communications platform in an appeal challenging a denial of motion to dismiss claims related to the alleged failure to remove certain material in the Ninth Circuit
- Representing a West Virginia abortion clinic in challenging the state’s 19th-century criminal ban on abortion care
- Representing an organization in an appeal challenging federal agencies’ Freedom of Information Act policies and practices in the US Court of Appeals for the Second Circuit
- Representing and arguing on behalf of a noncitizen in a successful challenge to a removal order on the basis of due process violations in removal proceedings in the Ninth Circuit\*
- Successfully representing a major technology company in a Fourth Amendment challenge to municipal law mandating disclosure of customer records in the SDNY\*
- Successfully representing nonprofit groups in a First Amendment challenge to state law mandating disclosure of nonprofit donors in the SDNY\*
- Representing a global mining corporation in a Securities and Exchange Commission enforcement action and securities class action alleging securities fraud in connection with a \$3.5 billion impairment of coal

assets in the Second Circuit and the SDNY\*

- Representing the American Civil Liberties Union in an amicus briefing in the US Supreme Court regarding religious practices of public school employees
- Representing legal scholars in an amicus briefing in the Supreme Court regarding the intervention of state officials in certain federal actions

\* Representation handled prior to joining Cooley

## Education

Yale Law School

JD, 2014

Yale University

BA, 2008

## Admissions & Credentials

New York

## Court Admissions

US Court of Appeals for the Second Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Southern District of New York

## Rankings & Accolades

Best Lawyers: Ones to Watch in

America – Securities Litigation