

Patrick J. Hayden

Special Counsel



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New York

Issues and Appeals

Commercial Litigation

Securities Litigation + Enforcement

Pro Bono

Pat focuses on high-stakes appeals and complex civil litigation, with a practice spanning commercial, regulatory and constitutional matters. He has led the drafting of dozens of appellate briefs and argued in federal courts of appeals nationwide. Pat also brings significant trial litigation experience, particularly in drafting critical briefs, preserving appellate issues and addressing complex legal challenges at trial.

Pat's work has covered a broad range of subject areas, including securities, intellectual property, antitrust, administrative law and constitutional law. He also maintains an active pro bono practice, addressing issues such as reproductive freedom, racial justice, gun violence protection and LGBTQ+ equality.

Before joining Cooley, Pat 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). He has been recognized by Best Lawyers on its Ones to Watch list and recently earned a shoutout spot on The American Lawyer's Litigation Daily Litigator of the Week Runners-Up and Shout-Outs list for arguing an appeal to the US Court of Appeals for the Fifth Circuit, resulting in the reversal of a district court's summary judgment ruling, and a runner-up spot for his role in a successful Federal Circuit appeal in an intellectual property dispute, resulting in the reversal of a district court's preliminary injunction.

Pat is a graduate of Yale Law School, where he 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. While pursuing his undergraduate degree at Yale University, he was a member of the varsity swimming and diving team.

Pat's representative matters include:

- Representing NVIDIA and certain of its officers in US Supreme Court and Ninth Circuit appeals challenging a putative securities fraud class action
- Represented EOFlow in a successful Federal Circuit appeal in an intellectual property dispute, overturning a district court's preliminary injunction
- Represented a major communications platform in a successful Ninth Circuit appeal, reversing the denial of motion to dismiss claims related to the alleged failure to remove certain material
- Represented an investment fund in a DC Circuit appeal challenging a federal agency's policies and procedures under the Administrative Procedure Act
- Representing Liquidia Technologies in Supreme Court proceedings related to alleged patent infringement
- Represented the National Association of Realtors in Supreme Court proceedings and a Ninth Circuit

appeal involving antitrust claims related to multiple listing services (MLSs) for homebuyers and sellers

- Represented a global mining corporation in a US Securities and Exchange Commission (SEC) enforcement action and securities class action alleging securities fraud, resulting in a favorable settlement*
- Represented a West Virginia abortion clinic in successfully challenging the state's 19th century criminal ban on abortion care
- Argued a successful Fifth Circuit appeal on behalf of an individual in a constitutional challenge to police officers' seizure and use of force, resulting in the reversal of a district court's decision
- Argued a successful Ninth Circuit appeal on behalf of a noncitizen challenging a removal order, resulting in a remand to the agency*
- Represented a major technology company in a successful Fourth Amendment challenge to a municipal law mandating the disclosure of customer records in the SDNY*
- Represented nonprofit groups in a successful First Amendment challenge to a state law mandating the disclosure of nonprofit donors in the SDNY*
- Represented nonprofit organizations, legal scholars, former military leaders and others in more than a dozen Supreme Court amicus briefs

* Representation handled before joining Cooley

Education

Yale Law School
JD, 2014

Yale University
BA, 2008

Admissions & Credentials

New York

Court Admissions

US Supreme Court

US Court of Appeals for the First Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Third Circuit

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Ninth Circuit

US Court of Appeals for the Federal Circuit

US Court of Appeals for the District of Columbia Circuit

US District Court for the Southern District of New York

Rankings & Accolades

Best Lawyers: Ones to Watch in America – Securities Litigation