

## Gerald H. Silk

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Jerry Silk's practice focuses on representing institutional investors on matters involving federal and state securities laws, accountants' liability, and the fiduciary duties of corporate officials, as well as general commercial and corporate litigation. He also advises creditors on their rights with respect to pursuing affirmative claims against officers and directors, as well as professionals both inside and outside the bankruptcy context.

Jerry is a member of the firm's Executive Committee. He also oversees the firm's New Matter department in which he, along with a group of attorneys, financial analysts and investigators, counsels institutional clients on potential legal claims. In December 2014, Jerry was recognized by *The National Law Journal* in its inaugural list of "Litigation Trailblazers & Pioneers" — one of several lawyers in the country who have changed the practice of litigation through the use of innovative legal strategies — in no small part for the critical role he has played in helping the firm's investor clients recover billions of dollars in litigation arising from the financial crisis, among other matters.

In addition, *Lawdragon* magazine, which has named Jerry one of the "100 Securities Litigators You Need to Know," one of the "500 Leading Lawyers in America," and one of America's top 500 "Rising Stars" in the legal profession, also profiled him as part of its "Lawyer Limelight" special series, discussing subprime litigation, his passion for plaintiffs' work and the trends he expects to see in the market. Recognized as one of an elite group of notable practitioners, *Chambers USA's* ranked Jerry nationally "for his expertise in a range of cases on the plaintiff side." He is also named as a "Litigation Star" by *Benchmark*, is recommended by the *Legal 500 USA* guide in the field of plaintiffs' securities litigation, and has been selected by Thomson Reuters as a *Super Lawyer* every year since 2006.

In the wake of the financial crisis, he advised the firm's institutional investor clients on their rights with respect to claims involving transactions in residential mortgage-backed securities (RMBS) and collateralized debt obligations (CDOs). His work representing Cambridge Place Investment Management Inc. on claims under Massachusetts state law against numerous investment banks arising from the purchase of billions of dollars of RMBS was featured in a 2010 *New York Times* article by Gretchen Morgenson titled, "[Mortgage Investors Turn to State Courts for Relief.](#)"

Jerry also represented the New York State Teachers' Retirement System in a securities litigation against the General Motors Company arising from a series of misrepresentations concerning the quality, safety, and reliability of the Company's cars, which resulted in a \$300 million settlement. He was also a member of the litigation team responsible for the successful prosecution of *In re Cendant Corporation Securities Litigation* in the District of New Jersey, which was resolved for \$3.2 billion. In addition, he is actively involved in the firm's prosecution of highly successful M&A litigation, representing shareholders in widely publicized lawsuits, including the litigation arising from the proposed acquisition of Caremark Rx, Inc. by CVS Corporation — which led to an increase of approximately \$3.5 billion in the consideration offered to shareholders.

A graduate of the Wharton School of Business, University of Pennsylvania and Brooklyn Law School, in 1995-96, Jerry served as a law clerk to the Hon. Steven M. Gold, U.S.M.J., in the United States District Court for the Eastern District of New York.

Jerry lectures to institutional investors at conferences throughout the country, and has written or substantially contributed to several articles on developments in securities and corporate law, including his most recent article, "[SEC Statement On Emerging Markets Is A Stunning Failure](#)," which was published by *Law360* on April 27, 2020. He has authored numerous additional articles, including: "Improving Multi-Jurisdictional, Merger-Related Litigation," American Bar Association (February 2011); "The Compensation Game," *Lawdragon*, (Fall 2006); "Institutional Investors as Lead Plaintiffs: Is There A New And Changing Landscape?," *75 St. John's Law Review* 31 (Winter 2001); "The Duty To Supervise, Poser, Broker-Dealer Law and Regulation," 3rd Ed. 2000, Chapter 15; "Derivative Litigation In New York after *Marx v. Akers*," *New York Business Law Journal*, Vol. 1, No. 1 (Fall 1997).

He has also been a commentator for the business media on television and in print. Among other outlets, he has appeared on NBC's *Today*, and CNBC's *Power Lunch*, *Morning Call*, and *Squawkbox* programs, as well as being featured in *The New York Times*, *Financial Times*, *Bloomberg*, *The National Law Journal*, and the *New York Law Journal*.

## Education

- Brooklyn Law School, J.D., 1995
- Wharton School of the University of Pennsylvania, B.S., Economics, 1991

## Admissions

- New York
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York
- United States Court of Appeals for the Second Circuit

## News

- February 1, 2021 - *Lawdragon* Names BLB&G Attorneys to 2021 500 Leading Lawyers in America List
- November 17, 2014 - Jerry Silk Profiled by *Lawdragon* in its "Lawyer Limelight"
- January 27, 2013 - Jerry Silk Discusses Defendant Accountability in *The New York Times*
- June 22, 2012 - Jerry Silk Interviewed by Germany's Spiegel TV and ARD Regarding Deutsche Bank
- January 30, 2012 - Converium/SCOR Securities Litigation: In Precedent-Setting Move, Dutch Court Declares International Collective Settlements Binding
- October 11, 2011 - Jerry Silk Featured on Dan Rather Reports Discussing Wall Street Accountability
- February 10, 2011 - Jerry Silk Discusses Questionable Sales of Mortgage Bonds by Banks in *The New York Times*

- July 10, 2010 - The New York Times Features Jerry Silk Discussing Recovery Options for Mortgage Securities Investors in State Courts
- November 23, 2009 - NBC's "Today" Features Jerry Silk in Coverage of Executive Compensation and Lehman Brothers Collapse
- May 21, 2009 - Delaware Chancery Court Agrees with BLB&G That 'Proxy Puts' Can Undermine Shareholder Rights; The Fight Must Go On
- May 14, 2009 - BLB&G Files Class Action Suit Against Union Bancaire Privée and Related Entities for Investments with Bernard Madoff
- March 18, 2009 - ABC's *Boiling Point* Interviews Gerald Silk Regarding Investor Allegations Against AIG
- December 10, 2008 - BLB&G Files Securities Class Action Against Medtronic on Behalf of Minneapolis Firefighters
- June 19, 2008 - BLB&G Files Expanded Securities Class Action Against AIG and its Senior Executives on Behalf of the Ontario Teachers' Pension Plan Board
- May 15, 2008 - Jerry Silk Featured in The New York Times' Coverage of Significant Subprime Ruling in Countrywide Litigation
- March 17, 2008 - CNBC's Power Lunch Features Jerry Silk Discussing the Demise of Bear Stearns
- December 5, 2007 - Jerry Silk Featured on CNBC's Power Lunch Discussing Subprime Crisis and Recent Investigation by NYS Attorney General
- September 18, 2007 - Jerry Silk Discusses Possible Lawsuits Against Banks After Negative Earning Announcements on CNBC's Power Lunch
- August 31, 2007 - The Deal.com features Jerry Silk on Limits of Hedge Fund Risk Disclosures
- July 13, 2007 - Jerry Silk Quoted in Numerous Publications Regarding Ceridian Settlement

## Publications

- April 27, 2020 - "SEC Statement On Emerging Markets Is A Stunning Failure" by Jerry Silk published in *Law360* Expert Analysis
- February 2012 - "A Comparative Discussion of Private versus Government" by Jerry Silk
- February 2011 - "Improving Multi-Jurisdictional, Merger-Related Litigation" by Mark Lebovitch and Gerald Silk
- October 2006 - "The Compensation Game," by Gerald Silk
- January 2004 - "Shining Light On The Practices Of Pension Fund Consultants: Who Are They Really Serving?" by Gerald H. Silk
- December 2003 - "The Mutual Fund Scandal: Is There No Longer Any Shelter From The Storm" by Gerald H. Silk

- August 2000 - "Institutional Investors As Lead Plaintiffs: Is There A New And Changing Landscape?" by Max W. Berger and Gerald Silk

## Awards

- October 5, 2021 - *Benchmark Litigation* Again Names BLB&G One of the Top Firms in the Nation in 2022 Guide
- August 18, 2021 - *Lawdragon* Names BLB&G Partners to The 2021 Edition of the "500 Leading Plaintiff Financial Lawyers" List
- May 20, 2021 - *Chambers* Again Ranks BLB&G Top Securities Litigation Firm
- October 7, 2020 - *Benchmark Litigation* Again Names BLB&G One of the Top Firms in the Nation in 2021 Guide
- September 20, 2020 - 20 BLB&G Attorneys Named by *Super Lawyers* to its 2020 New York Metro Edition
- August 2020 - *Lawdragon* Names BLB&G Partners to The 2020 Edition of the "500 Leading Plaintiff Financial Lawyers" List
- June 2020 - *Legal 500* Again Ranks BLB&G a National Tier 1 Firm for Securities Litigation and M&A Litigation
- April 23, 2020 - *Chambers* Again Ranks BLB&G Top Securities Litigation Firm With Band 1 Rankings In All Categories
- March 12, 2020 - *Lawdragon* Names BLB&G Attorneys to "500 Leading Lawyers in America List" and Inducts Founding Partner Max Berger into its "Hall of Fame"
- January 2020 - BLB&G Named A Top Securities Practice by *Law360*
- September 2019 - *Lawdragon* Names 20 BLB&G Attorneys Among its "500 Leading Plaintiff Financial Lawyers" list
- September 2019 - 20 BLB&G Attorneys Named by *Super Lawyers* to its 2019 New York Metro Edition
- July 2019 - Seven BLB&G Partners Named Among the "500 Leading Lawyers in America" by *Lawdragon*
- June 2019 - *Legal 500* Again Ranks BLB&G a National Tier 1 Firm for Securities Litigation and M&A Litigation
- April 25, 2019 - *Chambers* Again Ranks BLB&G Nation's Top Securities Litigation Firm
- February 11, 2019 - ISS SCAS Releases Top Securities Settlements Report: Bernstein Litowitz Leads the Field for Ninth Consecutive Year
- January 18, 2019 - *Law360* Profiles BLB&G as a 2018 "Class Action Group of the Year"
- October 2018 - *Benchmark* Names Seven BLB&G Partners as Litigation Stars
- October 2018 - *Benchmark* Again Names BLB&G One of the Top Firms in the Nation
- October 2018 - 20 BLB&G Attorneys Named by *Super Lawyers* to its 2018 New York Metro Edition

## Events

- November 5, 2021 - BLB&G Partner Jerry Silk Serves as Panelist at PLI's 53rd Annual Institute on Securities Regulations
- November 13, 2020 - BLB&G Partner Jerry Silk Spoke at PLI's 52nd Annual Institute on Securities Regulations
- October 28-30, 2015 - Jerry Silk Participates in PLI's 47th Annual Securities Regulation Institute
- October 20, 2015 - Jerry Silk Participates in FBA's Securities Law and AML Conference
- October 9, 2014 - Jerry Silk Discusses Global Trends in Securities Litigation with ISS
- June 23, 2011 - Jerry Silk and Steve Singer Discuss Current Trends in Shareholder Litigation at Bloomberg's Securities Law Seminar
- February 10, 2011 - Jerry Silk and Mark Lebovitch Provide Securities Litigation Update at MAPERS Seminar
- January 26, 2011 - A Survey of the RMBS Litigation Landscape
- January 21, 2011 - Jerry Silk Participates in Advisen's 2010 Securities Litigation Review
- June 19, 2008 - Jerry Silk Discusses Securities Actions at Mealey's Subprime Mortgage Litigation Conference
- February 27, 2008 - Jerry Silk Discusses Civil Procedure in Securities Litigation at Brooklyn Law School