

MVP: Latham & Watkins' Andrew Clubok

By Kevin Penton

Law360 (October 21, 2020, 4:45 PM EDT) -- Latham & Watkins LLP's Andrew Clubok secured a trial win for disenfranchised Black and Latino voters who were effectively blocked from seeing their preferred candidates on the school board of a racially segregated school district, earning him a spot as one of Law360's 2020 Trials MVPs.

HIS BIGGEST ACCOMPLISHMENT THIS YEAR:

Clubok represented the NAACP in the school board case, in which a federal judge ruled in May that the East Ramapo Central School District in New York violated the Voting Rights Act through the unofficial use of a slate system for candidates preferred by whites.

In the district, 98% of private school students are white and 92% of public school students are Black or Latino, yet the private schools utilize public funding for busing and other benefits. Blacks and Latinos were unable to get a single preferred candidate onto the board since 2007 due to highly organized resistance from the private school community, the judge found. As a result of the trial, school board candidates will now be elected through the use of a ward system.

"The minority communities will now be able to directly elect their own representatives to the school board and actually have real electoral power for the first time in years," Clubok said.

ANOTHER NOTABLE CASE:

Clubok, global chair of Latham's securities litigation and professional liabilities practice, in November nabbed a judgment of over \$1 billion on behalf of UBS AG against two defunct affiliates of the bankrupt Highland Capital Management LP in a long-running dispute over certain securities that experienced losses during the 2008 financial crisis.

Law360 named Clubok and others on his team Legal Lions for the ruling, which was released in January. A New York state judge determined that the terms of the bank's deals with Highland CDO Opportunity Master Fund LP and Highland Special Opportunities Holding Co. entitled UBS to recover losses on a failed securitization of collateralized loan obligations and credit default swaps.



"We had a great opponent on the other side, but the principle that we were upholding on our side I was proud to represent," Clubok said.

WHAT MOTIVATES HIM:

When he's working his 18th hour or is giving up yet another weekend, what keeps Clubok motivated is his belief in seeing justice served, and his view that his occupation is a way to effectuate that principle.

"When you have a case that actually goes to trial, it's almost always about principle. It's almost never just about money," Clubok said. "Cases that are just about money usually settle. Cases that go to trial are about principles, and that's why they can't settle."

Clubok says he has believed in the principles of the cases he has taken to trial, whether it's saving a company or defeating a false accusation.

"That is what motivates me," he said.

WHY HE'S A TRIALS ATTORNEY

Clubok has never shied away from debating ideas, and loves the spirit of competition. While he was in college, he joined the debate team and played rugby, two endeavors that for him morphed into his current occupation.

"When you put together rugby and debate, the perfect occupation is probably trial lawyer," Clubok said. "It's the only occupation I have considered since sixth grade."

— As told to Kevin Penton. Additional reporting by Cara Salvatore and Dean Seal.

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2020 MVP winners after reviewing more than 900 submissions.