



Clare Pennington, Partner

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Professional Summary

- Experienced civil litigator and complex case manager.
- Named to the Rising Stars List published nationwide in Colorado Super Lawyers® since 2013.
- Recognized as a Finalist for Law Week's 2010 Up and Coming Lawyers.
- Clerked for Justice Nancy Rice of the Colorado Supreme Court.
- Graduated fourth in her class from the University of Colorado School of Law.

Practice Areas:

- Complex Civil & Commercial Litigation
- Fiduciary Litigation



About Clare:

Clare focuses her practice on civil and commercial litigation. She has worked on complex business disputes involving a variety of companies, from family businesses to Fortune 500 corporations. Clare has experience in all aspects and phases of litigation including e-discovery, trial preparation, trial, and appeal. She is an experienced case manager who has directed the work of trial teams on some of the firm's largest cases. Clare's legal research and writing skills allow her to tackle the most difficult, and often novel, issues faced by the firm's clients.

Before entering private practice, Clare served as judicial law clerk to the Hon. Nancy E. Rice of the Colorado Supreme Court. Through the clerkship Clare gained valuable research and writing experience as well as exposure to diverse areas of civil and criminal law.

Clare ranked fourth in her graduating class at the University of Colorado School of Law. In law school, she served as an articles editor for the Colorado Journal of International Environmental Law and Policy. She also won the Rothgerber Moot Court competition. She holds dual undergraduate degrees in political science and philosophy.

Clare is on the trial team for this case:

- In 2009, Reilly Pozner began representing multiple plaintiffs in highly complex litigation against several bank trustees and numerous other defendants, leading to significant recoveries through settlements and a jury verdict of \$391 million against PNC Bank. The litigation arose out of a multi-state fraud scheme involving National Prearranged Services, Inc. (a Missouri-based preneed funeral contracts seller) and its two related insurance companies domiciled in Texas. RP was retained by 35 state life and health insurance guaranty associations, NOLHGA, and the Texas Special Deputy Receiver to seek recoveries from over 40 defendants, including multiple bank trustees, an accounting firm, and the former officers and directors of NPS and the insurance companies. Plaintiffs' claims included negligence and breach of fiduciary duty against the bank trustees for allowing the preneed trust funds to be looted, accounting malpractice, and RICO (Racketeer Influenced and Corrupt Organizations Act) claims against the former officers and directors. RP negotiated settlements with most defendants before trial, resulting in large recoveries for the clients. A five-week trial was held in federal court in Missouri in early 2015, where RP attorneys secured a jury verdict of \$391 million (including a punitive damages award) against PNC Bank.
- Reilly Pozner LLP is trial counsel to AIG and its insurance and broker-dealer subsidiaries in structured finance, intellectual property, and unfair competition litigation, and in arbitration proceedings before the Financial Industry Regulatory Authority. This representation includes protecting the rights of AIG as a certificate holder in connection with a proposed \$8.5 billion settlement of RMBS claims against Bank of America.
- Defended development-stage technology company in New York State Court in contract dispute with investment bank over terms of engagement. *Jefferies & Company, Inc. v. Ascent Solar Technologies, Inc.*, No. 652862/2011 (N.Y. Sup. Ct.).

"I like the fact that Reilly Pozner represents both plaintiffs and defendants. It keeps things interesting. Since we wear both hats, we are better able to anticipate and plan for arguments on both sides of a case. If we are representing plaintiffs, we can pretty well anticipate how the defendants are going to argue--and vice



versa.”