

FEGANSCOTT

Firm Newsletter



We Advocate for Justice and Victims' Rights
With Integrity, Passion and Excellence.

Welcome to the autumn installment of the FeganScott firm update.

As we approach the end of the year, the FeganScott team is reflecting on a busy season of pursuing justice for our clients. In addition to major case news for the [student-athletes involved in the HBCU case](#), which we'll dive into below, the firm has continuously been front-and-center advocating for survivors of sexual assault. From updates in the civil case against Weinstein to speaking out on broader implications in the allegations against Cuomo, our founder Beth Fegan has continued to elevate conversations around trusting survivors and creating a safer world for all of us.

Congratulations are also in order for our co-founder Tim Scott for his recent [2022 Best Lawyers award](#), which recognizes lawyers for their outstanding professional excellence in private practice. We're also pleased to share that attorneys Melissa Clark and Jonathan Lindenfeld were named to the [Super Lawyers 2021 New York Rising Stars list](#).

Below, you can read more about important case updates and ways to connect with our firm for more information.

Latest News for You

Beth Fegan Shares Insights on Cuomo Allegations

In August 2021, a flurry of sexual harassment allegations against Andrew Cuomo, former Governor of New York, made headlines following an investigation by the NY Attorney General Letitia James. The report contained startling allegations of workplace and sexual harassment, including by a former assistant and a state trooper assigned to his security detail.

Although Cuomo ultimately resigned, the negative impact he had on the women around him will linger, especially as the survivors continue to face scrutiny in the pursuit of bringing such allegations to light.

Our founder Beth Fegan joined Ashleigh Banfield of News Nation Now on two occasions to discuss the allegations, as well as the need to focus a spotlight on the network that facilitated Cuomo's conduct and kept the abuse secret for so long.

"I think what's really important here is this idea that he had a network surrounding him who were receiving complaints as they went and weren't reporting them to the right office, were covering them up, were moving women out of their positions... This wasn't something that no one else knew about. The people around him knew about it, and they covered it up."

We continue to be inspired by the survivors of sexual assault and harassment who are sharing their stories. Although there are discouraging cases like we saw with Cosby, the continued elevation of survivors' voices will push the needle forward to create change.

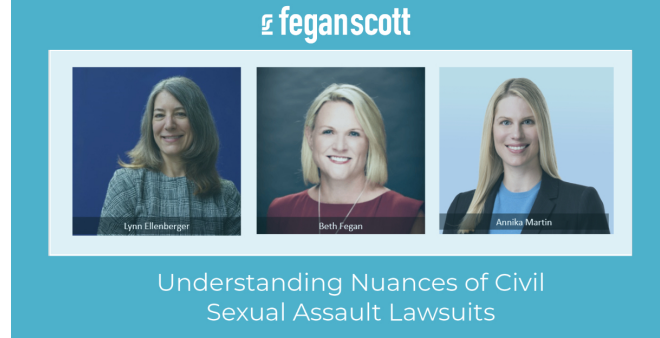
You can read more coverage about the significance of the allegations available [here](#) and more insights on Cuomo's resignation [here](#).



the Nuances of Civil Sexual Assault Lawsuits, Shares Insights in PLI Article

Attorneys Beth Fegan and Lynn Ellenberger of FeganScott and Annika Martin of Lieff Cabraser

hosted a conference with Practising Law Institute (PLI) on the complexity of civil sexual assault cases. Although the conference required advanced sign-up, the attorneys also shared their insights in a new article from PLI.



In recent years, sexual assault cases and the broader societal implications have become even more visible with the rise of the #MeToo movement. But what makes an impactful case that can truly drive lasting legal and societal changes to promote safety for survivors and act as a deterrent to predators? Litigators are faced with a litany of questions that follow, including: Should you file a civil sexual assault case? What is the effect of a criminal proceeding? What are the statute of limitations and exceptions? How can we seek justice despite what seem to be many legal obstacles?

In order to make sense of the current landscape, the attorneys examined lessons learned from litigating civil sexual assault cases and explored broader trends now and on the horizon that could be helpful for attorneys working on these topics.

Read all of their insights [here](#).

See All News

Featured Cases



Former HBCU Student Athletes



Harvey Weinstein Transferred

Given Green Light in Case Challenging NCAA's Academic Performance Program

A U.S. District Court handed a first victory to a group of Black student-athletes at Historically Black Colleges and Universities (HBCUs) seeking to change NCAA rules that they claim intentionally discriminated against and punished them.

The case, filed in 2020, claims that the NCAA's Academic Performance Program (APP) — ostensibly designed to improve student-athlete academic performance — in fact undermines HBCUs' mission to serve the historically underserved Black community, including Black student-athletes. It further alleges that the NCAA knew the APP was racially discriminatory but enacted and enforced it anyway.

Read more on case updates and media coverage [here](#).

to Los Angeles

The criminal proceedings against Harvey Weinstein will continue into 2022, but there were new updates in the case in July when he was officially extradited from New York to Los Angeles to stand trial.

Our founder Beth Fegan spoke with Adrienne Bankert of NewsNation Now to help viewers understand the importance of this case after Weinstein was transported to Los Angeles to begin the arraignment. On the 20-minute segment, Beth tackled several critical subjects, including why further proceedings are important to allow survivors to have a voice, what time frame survivors should consider in reporting assaults and seeking justice, and how the power of the collective works to move the needle to continue the momentum of the #MeToo movement.

Watch more of Beth's insights on the case [here](#).



Firm News



Founding Partner Tim Scott Named Among 2022 Best Lawyers in America

FeganScott is proud to announce that Tim Scott, a founding partner of FeganScott, was recently named to the

prestigious 2022 Edition of Best Lawyers in America, earning recognition from peers in the legal community.

Best Lawyers' annual rankings recognizes highly respected attorneys, and 2022 marks the inaugural year of Tim joining the ranks. With more than two decades of experience, Tim is recognized for his excellence in his practice of representing victims in personal injury cases, including automobile accidents, willful and wanton conduct of government officials, elder abuse, products liability, manufacturing defects, premises liability, construction defects and work-related injuries throughout Illinois.

"I'm honored to be recognized by my peers for the work I do to serve our clients," Scott said. "This award speaks not just to my merit, but to the high-quality work and dedication of everyone on the FeganScott team who works tirelessly to pursue justice for our clients."

For more information, please click [here](#).

FeganScott Announces Two Attorneys Named 2021 New York Metro Rising Stars



Melissa Clark and Jonathan Lindenfeld of Fegan Scott LLC were recently named New York Metro Rising Stars on the [Super Lawyers](#)® 2021 list. The distinction from the professional rating service is only awarded to the top 2.5% of attorneys in the area.

The two FeganScott attorneys lead the firm's New York office, and each was recognized for their excellence in their respective practice areas.

Clark has represented consumers in privacy, data breach, and consumer class actions against data and tech giants like Apple, Google, and Facebook; investors in securities class actions against publicly traded companies like Virgin Mobile and Ariad Pharmaceuticals; and municipalities in Fair Housing Act litigation against banks like Wells Fargo and HSBC.

Lindenfeld also has an extensive record of representing victims of economic fraud, serving as an ally throughout the complex litigation process and supporting clients on federal securities litigation. Lindenfeld has litigated cases against some of the largest generic pharmaceutical companies in the United States, arising from their alleged

anticompetitive practices.

Read more about these distinctions [here](#).

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