

# David C. Rose

Managing Partner



New York, NY



drose@pryorcashman.com



212.326.0142



David Rose is Pryor Cashman's managing partner, a partner in the firm's Litigation, Investment Management, and Media + Entertainment Groups, and a member of the firm's Executive Committee. He counsels clients in complex, high-stakes commercial, media, and estate matters, advocating for their interests in negotiations, trials, arbitrations, and on appeal.

An accomplished litigator and adviser, David advances the objectives of investment management firms, hedge and private equity funds, family offices, real estate owners and investors, media and entertainment companies, and high net worth individuals. He is sought after to guide clients through sophisticated and consequential disputes demanding pragmatic, business-based solutions, and to try those disputes when required.

In that regard, David's skill has been recognized by clients and trial judges alike, who have called him an "incredible talent" and an "excellent cross-examiner."

## Private Fund + Commercial Litigation

David's experience includes working with some of the top firms in the space, such as Arcadia Investment Partners, Brevet Capital Management, Dune Real Estate Partners, Scarp Ridge Capital Partners, Cedar Hill Capital, Phaneros, and Fortress Investment Group to help them to align and assess potential legal risks against their overall business objectives. While litigation is not always necessary, he has secured various recent wins for clients, including:

- A multi-national public company facing a multi-billion-dollar damages claim in a "bet the company" arbitration, successfully defeating the claim following a nine-day full evidentiary hearing and obtaining a multi-million dollar award for the client;
- An investment advisory firm in a nine-figure dispute regarding a multibillion-dollar project finance capital raise;
- A joint venture of two leading real estate investment funds in simultaneous litigation and arbitration proceedings concerning its preferred equity investment in a major Manhattan development;
- A joint venture fund in connection with the defense of claims intended to prevent the sale of a New York hotel asset for a record mid-nine-figure price;
- A national real estate developer in connection with the Lehman Bros. bankruptcy and the completion of projects financed by Lehman;
- A director of a UK-based company, publicly traded in the U.S., in a proxy contest for control of the company and in a parallel federal court litigation asserting violations of U.S. securities laws and computer privacy laws; and

- One of the world’s largest wholesale food distribution centers in the successful defense against a federal RICO/conspiracy suit, and against a lawsuit alleging violations of constitutional rights brought against the public security service protecting that center.

### **Media + Entertainment Experience**

- Sony Music Entertainment and its affiliated record labels, obtaining summary judgment against Bang Energy Drink maker Vital Pharmaceuticals and its CEO for directly and vicariously infringing Sony’s sound recordings in Vital’s social media marketing campaign;
- Sony Music Entertainment and Grammy Award-winning recording artist Ricky Martin in two federal copyright and trademark infringement suits concerning his hit song “Vida” and the FIFA World Cup, obtaining the dismissal of all claims;
- A major record company and two of its most senior executives in a multi-claim federal lawsuit brought against the company and those executives in their individual capacities;
- A renowned record producer and songwriter in multiple litigations concerning the permitted scope of use of sound recordings and royalties to be paid for such use, obtaining a landmark contract and intellectual property ruling from New York’s highest court;
- EMI Music Publishing as plaintiff in a federal class action regarding alleged use by record clubs of musical compositions without having obtained compulsory licenses;
- Major recording, music publishing and motion picture companies (including Sony Music Entertainment and others), along with award-winning recording artists and songwriters in actions asserting copyright infringement and related claims involving some of the most popular songs of the past decade and the songs from which they are derived;
- Sony Music Entertainment and the interests of top recording artist Future in a federal trademark case concerning Future’s top selling album “Life is Good” and merchandise relating to the album; and
- An asset manager in a multi-debtor bankruptcy proceeding in the motion picture industry involving the manager’s rights and interests.

### **Trusts + Estates Litigation Experience**

- Steven Aoki and Devon Aoki, the children of the founder of Benihana, in a dispute over the disposition of his estate, obtaining a precedent-setting decision from New York’s highest court;
- A branch of a prominent New York real estate family, obtaining a settlement providing for the redistribution of family-owned properties; and
- The beneficiary of an estate with simultaneous disputed proceedings in New York, Europe and the Middle East.

### **FinTech and Blockchain Experience**

- A leading blockchain-based financial services company in litigation and litigation-related matters;
- A blockchain solutions company in intellectual property matters;
- Two pioneering companies tokenizing creative works for sale as non-fungible tokens (NFTs); and
- A premier international online auction house in connection with NFT auctions of fine art.

### **Services**

- M+E Litigation
- Intellectual Property
- Investment Management
- Litigation
- Media + Entertainment
- Music Transactions
- Music Litigation
- Celebrity Branding + Talent Representation
- Private Client

- Real Estate Litigation
- Non-Fungible Tokens (NFTs)
- Sports

## Education

- University of Pennsylvania Law School (J.D., *cum laude*, 1994)
  - Senior Editor, Journal of International Business Law
- University of Pennsylvania (B.A., 1991)

## Recognition

- Named to *Best Lawyers in America* list for Commercial Litigation (2025-26)
- Named to *Lawdragon's* 100 Managing Partners You Need to Know (2025), 500 Leading Lawyers in America (2026), 500 Leading Litigators in America (2024-26), and 500 Leading Global Entertainment, Sports & Media Lawyers (2025) lists
- Named to the *Super Lawyers – New York Metro* list in Business Litigation (2013-25)
- Named a leading Media + Entertainment lawyer by *The Legal 500 US* (2017)
- Appointed "Special Litigation Counsel" by The New York County Public Administrator to locate and recover property for the estate of a world-renowned artist and art collector

## Community

- Past President, American Jewish Committee (AJC) New York Regional Office
- AJC New York Executive Committee
- AJC National Governance Committee
- AJC National Legal Committee

## Admissions

- New York
- New Jersey
- U.S. District Courts for the Southern and Eastern Districts of New York
- U.S. District Court, District of New Jersey
- U.S. Court of Appeals for the First and Third Circuits

## Professional Affiliations

- American Bar Association, member, Litigation Section and Forum on the Entertainment and Sports Industries
- New York State Bar Association, former co-chair, Litigation Committee of the Entertainment, Arts and Sports Law Section; and former member of the section's Executive Committee

## Publications

July 15, 2025

### **Rose on Law Firm Agility in a Shifting Economy**

*Law360 Pulse*

July 9, 2025

### **Rose on Midsize Talent Market in NYC**

*Law.com Pro Mid-Market*

May 2, 2025

### **Rose on Pryor Cashman's Thriving "Midsize Advantage"**

*Above the Law*

April 28, 2025

**Rose Discusses Pryor Cashman's Double-Digit Revenue and Profit Growth in 2024**

*New York Law Journal*

September 25, 2023

**Rose Speaks to Regulatory Compliance Watch About Fiduciary Exception to Attorney-Client Privilege**

*Regulatory Compliance Watch*

September 15, 2023

**Rose and Young Discuss Fiduciary Exceptions in Attorney-Client Privilege**

*PlanAdviser*

August 17, 2023

**Rose Breaks Down the Fiduciary Exception to Attorney-Client Privilege**

*Hedge Fund Law Report*

April 8, 2019

**How Fund Managers Can Mitigate the Impact of Litigation on Their Transactions and Relationships**

April 30, 2013

**The Contingent Compensation Battle Only Gets Worse**