



Martin A. Krolewski

Deputy General Counsel

mkrolewski@kelleydrye.com

Chicago
(312) 857-7097

About

Marty Krolewski serves as the firm's Deputy General Counsel. In this role, he advances the priorities of the firm's Office of General Counsel and advises firm lawyers in multiple jurisdictions on compliance with ethical obligations and risk management, provides counsel to firm leadership on matters of importance, and assists in protecting the operation of the firm's business.

In addition to these duties, Marty sits on the firm's Cybersecurity Committee, oversees firm-wide generative AI initiatives, reviews and manages compliance with outside counsel guidelines, ensures compliance with state and federal laws, and assists with client matters as needed.

Prior to this role, Marty was an in-house Corporate Counsel at State Farm for four years. Before this, Marty was an associate, special counsel and partner at Kelley Drye in the firm's New York office for over 20 years. His practice focused on litigating and resolving complex commercial matters in federal and state courts pertaining to bankruptcy, trade secrets, contractual disputes, fraud, legal malpractice, securities, employment, antitrust, and class action claims. Over his nearly two decades of practice at the firm, Marty was involved in cases of varying complexity, ranging in value from several hundred thousand dollars to billions.

Known for being prepared, diligent, diplomatic, persuasive, and a consensus builder, Marty is a dedicated team player who is astute at spotting issues and using the details of a case to make an influential and successful argument. His experience includes trials and trial preparation; discovery, with a particular focus on the management of e-Discovery and ESI-related issues; engaging in motion and appellate court practice; directing and participating in settlement negotiations; arbitrations and mediations and conducting internal investigations.

Admitted in New York only.

Experience

Represented numerous states and private sector clients in state and federal litigations throughout the country involving environmental contamination by a class of man-made chemicals known as perfluorinated compounds (PFAS), including perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). This includes numerous litigations related to the use of firefighting foams - aqueous film-forming foam (AFFF) - that contain PFAS compounds, which are pending in a multi-district

litigation in the U.S. District Court for the District of South Carolina.

Represented JPMorgan Chase Bank in an adversary proceeding brought by the unsecured creditors' committee in the U.S. Bankruptcy Court for the Southern District of New York for the return of \$1.4 billion in payments made by the estate of General Motors to the bank and other secured creditors of General Motors. A favorable settlement for the client was reached in mediation.

Successfully represented multiple foreign clients in district courts across the country to obtain cross-border discovery from U.S.-based persons and entities pursuant to 28 U.S.C. § 1782 for use in foreign proceedings.

Counsel and assist clients with drafting and effectively implementing document retention and destruction policies as well as implementing and managing litigation holds in anticipation of and during litigation.

Represented JPMorgan Chase Bank in multiple matters in the Lehman bankruptcy, including an adversary proceeding filed by the unsecured creditors' committee seeking to recover billions of dollars based on allegations related to Lehman's 2008 collapse, which was favorably settled, as well as an adversary proceeding seeking to recover \$41 million in transfers under constructive trust and conversion claims, which was successfully dismissed.

Represented JPMorgan Chase Bank in multiple adversary proceedings filed in connection with the Enron bankruptcy in the U.S. Bankruptcy Court for the Southern District of New York seeking to avoid and recover billions of dollars in transfers made in connection with structured finance transactions and Enron's commercial paper repurchases. Managed all aspects of discovery in connection with these proceedings involving millions of documents.

Member of a trial team that represented JPMorgan Chase Bank in a lawsuit against eleven insurance companies relating to surety bonds on commodities transactions with Enron. Conducted all aspects of litigation on an accelerated schedule, and prepared for trial and second-chaired the direct and cross-examinations of witnesses during a month-long trial in the Southern District of New York. A favorable settlement for the client was reached during jury deliberations.

Represented the bankruptcy trustee for a national electronics retail chain in over 100 lawsuits brought against creditors that received preferential payments prior to bankruptcy. Successfully resolved these lawsuits and recovered over \$60 million for the bankrupt estate.

Represented the bankruptcy trustee for a national electronics retail chain in multiple multimillion-dollar lawsuits brought by unsecured creditors of a national electronics retail chain estate involving claims of personal injury, wrongful termination, defamation and age discrimination. Favorable settlements for the client were reached in these lawsuits.

Prosecuted a misappropriation of trade secrets and breach of fiduciary duty action on behalf of a leading provider of media replication services in the Minnesota state court. After successfully petitioning for a temporary injunction and defeating summary judgment, obtained one of the largest judgments in favor of the client in Minnesota state history—more than \$30 million—in a case involving the misappropriation of trade secrets.

Successfully represented a leading global energy and commodity trading company and its head trader in Russia in connection with a Department of Justice investigation with potential FCPA and criminal exposure.

Led an internal investigation and insurance recovery efforts in connection with employee theft for a leading provider of power generator maintenance services. Successfully recovered the maximum amount under the insurance policies for our client and negotiated a repayment agreement and confession of judgment with the former employee.

Member of the litigation team that prosecuted the breach of a non-compete agreement, breach of fiduciary duty, unfair competition, violations of the Lanham Act and related claims. A successful settlement for the client was reached just prior to trial.

Represented a start-up that developed an Internet-based securities trading platform in a business dispute with an affiliate of Global Crossing, Ltd. Participated in all phases of the AAA arbitration and related New York state court practice, and in negotiating and finalizing a favorable settlement for the client.

Related Services

Commercial Litigation
e-Discovery
Litigation

Education

University of Pittsburgh School of Law, J.D., 1998

- cum laude

Colby College, B.A., 1995

- Economics

Admissions

New York, 1999

Courts

U.S. Court of Appeals-Second Circuit

U.S. District Court-Eastern District of New York

U.S. District Court-Southern District of New York

Languages

Polish