



William A. Escobar

Partner

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About

One of Kelley Drye's leading trial lawyers, Bill Escobar defends, prosecutes, and resolves serious and consequential business disputes for domestic and international companies. Combining aggressive advocacy with keen business sense, Bill has served as lead trial counsel in cases valued in billions of dollars for many of Kelley Drye's most prominent clients.

Bill prepares to go to trial and win.

Because he is a respected trial lawyer, he favorably resolves many of his cases before a dispute snowballs into acrimony and undue expense. Bill designs and implements litigation strategies that focus on achieving his clients' commercial objectives and protecting their financial and reputational interests, whether that means a behind-the-scenes, swift, negotiated dispute resolution or a hard-fought courtroom battle.

A dedicated team player valued for his straight-talk communication style, Bill is committed to realizing the right outcome while working diligently with each client and their constituents to balance costs and results.

Bill has successfully tried cases in federal and state courts across the country and has extensive experience in the litigation, arbitration, and mediation of complex disputes involving false claims, fraud, antitrust, RICO, international trade sanctions, lender liability, intellectual property, technology, and complex contractual matters, as well as significant employment-related claims.

Clients trust Bill to resolve their most challenging and high-stakes disputes with government entities, competitors, and transaction counterparties for three principal reasons: First, they know that Bill is always the most prepared counsel in a courtroom and will craft a credible, compelling, and persuasive story designed to sway a judge, jury, or arbitrator or position his client for a favorable settlement. Second, clients value Bill's consummate professionalism that balances pursuing an aggressive strategy with establishing good working relationships and credibility with the opposing party and the trier of fact to facilitate a sound business resolution. Finally, Bill effectively and efficiently guides client decision-makers and witnesses through the grind of litigation while minimizing the cost and anxiety that litigation generates.

Bill has successfully led presentations on behalf of clients at arbitrations and mediations. His success with alternative dispute resolution is due to his insightful planning, focused execution, and creative

insight into the assessment of the dispute. Bill has served as an arbitrator in an ICC arbitration and as a mediator in numerous federal court mediations through the mediation program of the U.S. District Court for the Southern District of New York.

Born in Bogota, Colombia, Bill is fluent in Spanish. He has considerable experience guiding foreign clients through the thickets of U.S. litigation. Because the litigation process in the U.S. is alien and intimidating to foreign businesses and legal professionals, foreign clients rely on Bill to help them understand their options and navigate them through even the most complicated proceedings.

Bill is also innovative in managing the cost of litigation for clients. He served as chair of the firm's national Litigation practice group from 2006–2013. In that role, Bill developed and instituted a Kelley Drye program to price litigation in a manner that gives clients a variety of fee options based on reliable budgets.

Experience

Environmental Litigation

Served as trial counsel for the State of New Jersey in prosecuting New Jersey's case against DuPont for knowingly discharging PFAS and other contamination from DuPont's Chambers Works site into the waters and environment of New Jersey for decades. Following a month of trial in federal court in Camden, DuPont and related companies agreed to a record setting settlement with New Jersey valued at \$2 billion in remediation, restoration, costs, and damages. On the eve of this trial, 3M settled-out for up to \$450 million more in PFAS damages to New Jersey. At \$2 billion, DuPont's settlement with New Jersey is the largest environmental recovery for a single plaintiff – and is one of the largest legal recoveries of any kind – in the history of the country.

High-Tech Litigation

Trial counsel for a leading Indian information technology company in a litigation in California involving the development of a property tax assessment system. The case settled in court-ordered mediation on the eve of trial with parties accepting the mediators' recommendation.

Arbitration counsel to a leading information technology company on a dispute regarding the development and implementation of a global business platform. Arbitrators found in favor of our client on all principal claims and enforced a contractual limitation of liability provision.

Arbitration counsel for a leading Indian outsourcing company in a multimillion-dollar arbitration in New York relating to the formation of call centers. The arbitrator dismissed all the claims against our client and found for our client on its counterclaims.

Trial counsel for a computer software firm in a litigation involving claims of fraud, breach of fiduciary duty and breach of contract with respect to the ownership of an Internet staff scheduling product. The case settled during discovery.

Trial counsel for a manufacturer of computer software in the jury trial of a breach of license agreement in the United States District Court for the District of Illinois. The case settled at the conclusion of testimony.

Trial counsel for an owner of a patent on currency-counting technology in a patent infringement case. The case settled during discovery.

Litigation with Government Entities

Experience in litigation against government entities including Department of Justice, Department of Treasury, Environmental Protection Agency, Department of Health and Human Services and State Attorney General Offices.

Currently defending a dietary supplement company in an enforcement action brought by the Federal Trade Commission and the New York Attorney General's office.

National trial counsel for two generic drug manufacturers in over 30 actions brought by the Department of Justice, state attorneys general and qui tam whistleblowers under federal and state false claim acts and consumer protection statutes. In these matters, Bill led the trial teams defending cases where the government sought billions in damages related to the reimbursement of pharmaceutical products by the Medicaid and Medicare programs. Bill developed the trial strategy and led the settlement discussions that resolved these complex matters.

Represented a financial services client in investigations by the Securities and Exchange Commission.

Represented an outsourcing company in an investigation by the Department of Labor.

Litigation strategy to defend against sanctions arising from the Department of Treasury Office of Foreign Assets Control. Prepared litigation for a U.S. client wrongfully impacted by sanction against Russian entity leading to resolution of dispute.

Complex Contractual Litigation

Trial counsel representing the majority owner of a fiber optic project in a multiparty litigation in Alaska involving contract and fraud issues. Led the team that obtained a preliminary injunction, prosecuted a contempt of court matter and led the presentation at a mediation that settled the case.

Trial counsel for developers of cogeneration projects in litigation arising from a federally mandated power purchase agreement, including an antitrust case in U.S. District Court for the Western District of New York; a breach of contract proceeding in U.S. Bankruptcy Court for the District of New Jersey; and related administrative proceedings before the New York Public Service Commission and the Federal Energy Regulatory Commission. The cases settled prior to a trial.

Trial counsel for a plaintiff pension fund in an action in the U.S. District Court for the District of Colorado involving a breach of contract claim relating to the development of a fish farm. The case settled shortly before trial.

Trial counsel for a truck leasing company in an antitrust case involving the distribution of a soft drink product case. Obtained stay of RICO and antitrust claims pending arbitration of claims against the codefendant and subsequently prevailed on a motion to dismiss.

Financial Services Litigation

Trial counsel for JPMorgan Chase in a billion dollar lawsuit against 11 insurance companies relating to surety bonds on commodities transactions with Enron. Led the team that prepared the case on an accelerated schedule. At trial, presented the case against the insurance companies. The case settled as the jury was deliberating after the one-month trial.

Represented JPMorgan Chase in actions by a monoline insurer asserting a fraud claim in connection

with mortgage-backed securities.

Represented JPMorgan Chase in a fraud action asserted in connection with the collapse of National Century Financial Enterprises. The matter settled during discovery.

Trial counsel for Greenwich Insurance Company and XL Reinsurance in connection with several disputes relating to surety bonds. The matter settled after discovery.

Trial counsel for a Korean financial institution in litigation involving breach of contract, fraud claims and securities claims with respect to losses sustained in connection with complex transactions in derivatives. The case settled after the close of discovery.

Trial counsel for an Indian bank in connection with lender liability claims brought by a borrower. The court granted summary judgment for the bank on all claims.

Trial counsel for a European bank in a case against an accountant that negligently prepared a financial statement on which the bank relied. The case settled prior to trial.

Trial counsel for a Swedish investment banking firm in an action in the U.S. District Court for the Southern District of New York involving a breach of contract claim. The matter settled at close of discovery.

Investigated and prepared for trial a multiparty RICO fraud case in the U.S. District Court for the Districts of Arizona and Utah involving complex leasing and banking transactions. The case settled prior to trial.

Prepared for trial two complex cases on behalf of a plaintiff insurer against reinsurance companies. The matter settled on the eve of trial.

Conducted an internal investigation of fraudulent transactions in a bank in London, England, and prepared the fidelity insurance claim and worked with British solicitors and barristers on British legal proceedings.

Conducted an internal investigation of fraudulent transactions in a Mexican bank, including representation of the client in connection with an FBI investigation.

Product Liability

Trial counsel for the defendant, a Spanish machine manufacturer and its U.S. service company, in a trial of product liability claims in N.Y. Supreme Court—Kings County. There was a jury verdict in favor of the machine manufacturer and summary judgment at trial dismissing claims against the service company.

Trial counsel for the defendant, a Spanish machine manufacturer and its U.S. service company, in a jury trial of product liability claims in N.Y. Supreme Court—Queens County. During trial, the court granted summary judgment dismissing claims against the service company and the plaintiff dismissed claims against the machine manufacturer during the trial.

Private Client Litigation

Trial counsel for the defendant—an executor of an estate—in a bench trial of a dispute between the heirs and the executors. The matter settled at the end of testimony.

Trial counsel for the plaintiff, an estate of a deceased shareholder of a law firm, in a jury trial to recover a share of the law firm in N.Y. Supreme Court—Nassau County. The matter settled at the end of the plaintiff's case.

Honors

Selected among the 500 Leading Litigators in America by *Lawdragon*, 2023-2026.

Selected among the 500 Leading Global Antitrust & Competition Lawyers in America by *Lawdragon*, 2026.

Listed as "Top Business Litigator" in New York *Super Lawyers*, 2007-2025.

Bill was selected as one of 16 attorneys nationwide by the Minority Corporate Counsel Association in 2008 for his legal accomplishments and success in business development at the highest levels.

Affiliations

Inter-American Bar Association

American Bar Association

Association of the Bar of the City of New York

Mediator, U.S. District Court Southern District of New York

Related Services

Litigation

Commercial Litigation

Consumer Class Action Defense

Antitrust

Environmental Litigation

False Claims Act Defense

Finance and Lending

Financial Institutions

Generic Pharmaceuticals

Technology

Blockchain and Cryptocurrency

Technology Transactions and Sourcing

Toxic Torts and Products Liability

White Collar, Investigations and Compliance

Environmental

Food and Drug

Education

Columbia Law School, J.D., 1981

- Harlan Fiske Stone Scholar

Columbia College, Columbia University in the City of New York, B.A., 1977

Admissions

New York, 1982

Courts

U.S. Supreme Court

U.S. Court of Appeals–Second Circuit
U.S. Court of Appeals–Ninth Circuit
U.S. Court of Appeals–Tenth Circuit
U.S. Court of Appeals–District of Columbia
U.S. District Court–Southern District of New York
U.S. District Court–Eastern District of New York

Languages

Spanish