

## Emma Gilmore

Partner

New York | Securities Litigation

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Emma Gilmore is a Partner at Pomerantz and is regularly involved in high-profile class-action litigation. In 2024, *Benchmark Litigation* selected her as “Plaintiff Litigator of the Year.” In 2023, the *National Law Journal* named her a Plaintiffs’ Attorney Trailblazer and *Benchmark Litigation* shortlisted her for Plaintiff Litigator of the Year.

Emma was honored by *Law360* in 2023 and in 2018 as an MVP in Securities Litigation, part of an “elite slate of attorneys [who] have distinguished themselves from their peers by securing hard-earned successes in high-stakes litigation, complex global matters and record-breaking deals.” Only up to six attorneys nationwide are selected each year as MVPs in Securities Litigation. In 2018, Emma was the first woman plaintiff attorney to receive this outstanding award since it was initiated in 2011. In 2021, Emma was awarded a spot on *National Law Journal*’s prestigious Elite Women of the Plaintiffs Bar list. In 2021 and 2020, she was named by *Benchmark Litigation* as one of the Top 250 Women in Litigation—an honor bestowed on only seven plaintiffs’ lawyers in the U.S. those years. The *National Law Journal* and the *New York Law Journal* honored her as a “Plaintiffs’ Lawyer Trailblazer.” Emma has been honored since 2018 as a *Super Lawyer*®. She has been recognized by *Lawdragon* as one of the top 500 Leading Plaintiff Financial Lawyers.

Emma is regularly invited to speak about recent trends and developments in securities litigation. She serves on the New York City Bar Association’s Securities Litigation Committee.

### EDUCATION

- Brooklyn Law School
- Juris Doctorate, cum laude
- Staff Editor, *Brooklyn Law Review*
- Arizona State University, B.A., French and a minor in Business, Summa Cum Laude
- Recipient of two CALI Excellence for the Future Awards

### ADMISSIONS

- New York
- United States District Courts for the Southern and Eastern Districts of New York
- United States Courts of Appeals for the Second, Sixth, and Ninth Circuits
- United States Supreme Court

Emma regularly counsels clients around the world on how to maximize recoveries on their investments.

Emma leads the Firm's high-profile litigation against Koninklijke Philips N.V., arising from the company's alleged misrepresentations about its compliance with FDA regulations and about Philips' business and specific products, including devices used to treat breathing conditions in millions of people worldwide. The complaint alleges that, unbeknownst to the market and the device users, but known to Defendants, the foam in the devices was degrading, allowing foam particles to enter the devices' air pathway and be ingested or inhaled. The degrading foam could also off-gas chemicals with carcinogenic effects. As of September 30, 2023, according to the latest death-related updates from the FDA, there have been 561 reported deaths connected to the devices.

Emma co-leads the Firm's litigation against Alphabet and Google over alleged misrepresentations Alphabet's CEO made in testimony to Congress when it described the workings of Google's advertising technology. The complaint alleges that, unbeknownst to investors and contrary to its public representations, Google enjoyed special advantages over other bidding participants. Google has also been sued by the U.S. Department of Justice and the Attorneys General of dozens of states for related antitrust violations.

Emma played a leading role in the Firm's class action case in the Southern District of New York against Brazil's largest oil company, Petrobras, arising from a multi-billion-dollar kickback and bribery scheme, in which the Firm was sole Lead Counsel. In a significant victory for investors, Pomerantz achieved a historic \$3 billion settlement with Petrobras. This is not only the largest securities class action settlement in a decade but is the largest settlement ever in a class action involving a foreign issuer, the fifth-largest class action settlement ever achieved in the United States, and the largest settlement achieved by a foreign lead plaintiff. The biggest instance of corruption in the history of Brazil had ensnared not only Petrobras' former executives but

also Brazilian politicians, including former president Lula da Silva and one-third of the Brazilian Congress. Emma traveled to Brazil to uncover evidence of fraud and drafted the complaint. She deposed and defended numerous fact and expert witnesses, including deposing the former CEO of Petrobras, the whistleblower, and the chief accountant. She drafted the appellate brief, playing an instrumental role in securing a significant victory for investors in this case at the Second Circuit Court of Appeals, when the Court rejected the heightened ascertainability requirement for obtaining class certification that had been imposed by other circuit courts. She opposed defendants' petition for a writ of certiorari to the Supreme Court. Emma successfully obtained sanctions against a professional objector challenging the integrity of the settlement, both in the District Court and in the Court of Appeals for the Second Circuit.

Emma organized a group of twenty-seven of the foremost U.S. scholars in the field of evidence and spearheaded the effort to submit an amicus brief to the U.S. Supreme Court on their behalf in a critical issue for investors. One of the two issues before the High Court in *Goldman Sachs Group, Inc. et al v. Arkansas Teachers Retirement System, et al. (No. 20-222)* squarely affected investors' ability to pursue claims collectively as a class: whether, in order to rebut the presumption of reliance originated by the Court in the landmark *Basic v. Levinson* decision, defendants bear the burden of persuasion, or whether they bear only the much lower burden of production. The scholars argued that defendants carry the higher burden of persuasion. In a 6-3 decision, the Supreme Court sided with Pomerantz and the scholars.

Emma led the Firm's class action litigation against Deutsche Bank and its executives, arising from the Bank's improper anti-money-laundering and know-your-customer procedures. Plaintiffs alleged that, despite the Bank's representations that it implemented a "robust and strict" Know Your Customer program with "special safeguards" for politically exposed persons (PEPs), defendants repeatedly exempted high-net-worth individuals and PEPs from any meaningful due diligence, enabling their criminal

activities through the Bank's facilities. For example, Deutsche Bank continued "business as usual" with Jeffrey Epstein even after learning that 40 underage girls had come forward with testimony that he had sexually assaulted them. Deutsche Bank's former CEOs also onboarded, retained, and serviced Russian oligarchs and other clients reportedly engaged in criminal activities, with little or no due diligence. On October 20, 2022, Emma secured for investors nearly 50% of recoverable damages, which reflects a premium for the palpable misconduct and is exceptionally high for securities class action settlements. The Deutsche Bank litigation and settlement serve as important legal precedents aimed to deter financial institutions from enabling the wealthy and powerful to commit crimes in return for financial benefits to the institutions.

Emma played a leading role in *Strougo v. Barclays PLC*, a high-profile securities class action that alleged Barclays PLC misled institutional investor clients about the extent of the banking giant's use of so-called "dark pool" trading systems. She secured an important precedent-setting opinion from the Second Circuit. Emma organized a group of leading evidence experts who filed amicus briefs supporting plaintiffs' position in the Second Circuit.

Emma secured a unanimous decision by a panel of the Ninth Circuit Court of Appeals, benefiting defrauded investors in *Costa Brava Partnership III LP v. ChinaCast Education Corp.* In an issue of first impression, the Ninth Circuit held that imputation of the CEO's scienter to the company was warranted vis-a-vis innocent third parties, despite the fact that the executive acted for his own benefit and to the company's detriment.

She was Lead Counsel in the Firm's class action litigation against Arconic, in which she secured a \$74 million settlement for the class. Arconic is the U.S. company that manufactured the highly flammable aluminum cladding allegedly responsible for the 2017 Grenfell Tower fire in London that eradicated a public housing block, killing 72 people and injuring 70 other tenants. Arconic repeatedly misrepresented to the market its safety protocols

and the safety classification of its cladding products. When the truth about Arconic's unsafe practices emerged, investors lost over \$1 billion in damages.

Before joining Pomerantz, Emma was a litigation associate with the firms of Skadden, Arps, Slate, Meagher and Flom, LLP, and Sullivan & Cromwell, LLP. She worked on the WorldCom Securities Litigation, which settled for \$2 billion.

She also served as a law clerk to the Honorable Thomas C. Platt, former U.S. Chief Judge for the Eastern District of New York.

Emma graduated cum laude from Brooklyn Law School, where she served as a staff editor for the Brooklyn Law Review. She was the recipient of two CALI Excellence for the Future Awards, in the subjects of evidence and discovery. She graduated summa cum laude from Arizona State University, with a BA in French and a minor in Business.

She serves on the Firm's Anti-Harassment and Discrimination Committee.

## Notable Cases

### **PETROBRAS**

Pomerantz achieves \$3 billion settlement for investors in historic Petrobras class action suit After nearly three years of hard-fought litigation, including an appeal...

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### **BARCLAYS P.L.C.**

Pomerantz Achieves Settlement and Significant Precedent in High-Profile Case Against Barclays plc In a securities class action against Barclays plc (“Barclays”), Pomerantz, as...

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### **ALPHABET, INC.**

On June 9, 2023, U.S. District Judge Richard Seeborg of the U.S. District Court for the Northern District of California named Pomerantz LLP...

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### **KONINKLIJKE PHILIPS N.V.**

Pomerantz is sole Lead Counsel in a securities class action on behalf of investors in Koninklijke Philips N.V. (“Philips”). The suit alleges that...

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### **DEUTSCHE BANK AG**

In February 2023, Pomerantz, as sole lead counsel, received final court approval of a \$26.25 million settlement with Deutsche Bank AG in a securities class...

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### **KARIMI V. DEUTSCHE BANK AG**

### **JOYCE V. AMAZON.COM**

- Emma Gilmore served as Lead Counsel in *Joyce v. Amazon.com*, an antitrust class action. The lawsuit alleged that Amazon exploited third-party sellers by collecting their sales data to launch competing products and used its market dominance to impose unfair terms. It further alleged that Amazon retaliated against sellers through abrupt account suspensions to maintain control over the e-commerce marketplace.
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## STROUGO V. BARCLAYS LP

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## COSTA BRAVA PARTNERSHIP III LP V. CHINACAST EDUCATION CORP

- Emma Gilmore secured a unanimous decision by a Ninth Circuit panel in *Costa Brava Partnership III LP v. ChinaCast Education Corp.*, a significant win for defrauded investors. In an issue of first impression, the court held that the CEO's scienter could be imputed to the company, even though the executive acted for his own benefit and harmed the company in the process.
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## HOWARD V. ARCONIC ET AL

## Publications

- “Ex-Philips CEO Can’t Undo Finding He Misled Shareholders,”  
*Law360*, October 28, 2025
- “The Women Attorneys Achieving Some of Pomerantz’s  
Greatest Successes,” *Lawdragon*, July 21, 2025
- “The 2024 Lawdragon 500 Leading Plaintiff Financial Lawyers,”  
*Lawdragon*, May 24, 2024
- “Pomerantz is Shoring Up Investor Rights Across Industries  
and Sectors,” *Law.com*, May 3, 2023
- “‘If You Don’t Ask, You Don’t Get’: Pomerantz’s Emma Gilmore  
on Leading Complex Securities Litigation and Being Bold,”  
*Lawdragon*, February 14, 2023
- “Lawyer Limelight: Emma Gilmore,” *Lawdragon*, November 5,  
2019

## Accolades

- *Benchmark Litigation* Top 250 Women in Litigation (2025)
- *Super Lawyers*® Top-Rated Securities Litigation Attorney (2018-2025)
- *Benchmark Litigation* Plaintiff Litigator of the Year (2024)
- *Lawdragon* Top 500 Leading Plaintiff Financial Lawyers (2024, 2026)
- *National Law Journal* Plaintiffs' Attorney Trailblazer (2023)
- *Law360* MVP in Securities Litigation (2018 and 2023)
- *National Law Journal* Elite Women of the Plaintiffs Bar selection (2021)
- *Benchmark Litigation* Top 250 Women in Litigation (2020 and 2021)
- *New York Law Journal* "Plaintiffs' Lawyer Trailblazer (2020)