

## Andrew Porter

Partner

— VCARD

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Andrew Porter is a partner in the New York office of Milbank and a member of the firm's Litigation & Arbitration Group.

### Primary Focus & Experience

Mr. Porter represents clients in federal and state court in a variety of complex commercial litigation matters. He has significant experience representing clients in a broad range of industries including media and entertainment, insurance, and financial services.

Mr. Porter has represented Broadcast Music, Inc. in multiple rate-setting litigations and other matters. Notable litigation representations for BMI include a trial victory against the North American Live Concert Promoters Association to set the rate to be paid by Live Nation and others, which resulted in a substantial rate increase for BMI, and a trial victory against Pandora Media, Inc. in a decision that was identified by *Law360* as one of the biggest copyright rulings of the year. Mr. Porter is currently representing Broadcast Music, Inc. in a rate setting case to establish licensing fees for commercial broadcast radio stations across the country, among other disputes with music users.

Mr. Porter represented subsidiaries of Universal Entertainment Corporation in a busted-deal SPAC litigation in the Delaware Court of Chancery, obtaining a trial victory where the Court refused to order the subsidiaries to close a merger with their SPAC counterparty.

Mr. Porter also represents a major life insurance company in several litigations challenging cost of insurance adjustments. These representations include two putative nationwide class actions where Milbank obtained denials of class certification.

Other notable representations include:

- Represented Atrium Holding Company in its claim against numerous insurance carriers arising from the loss of a hotel in Sonoma County, California, due to a wildfire.
- Represented Citigroup, Inc., Citibank, N.A., and Citigroup Global Capital Markets Inc. in a putative class action filed in the Southern District of New York. Plaintiffs, holders, and beneficial owners of American Depositary Receipts ("ADRs") for which Citibank, N.A.

served as the depository bank, allege that Citibank charged unreasonable and undisclosed fees when converting dividends and other payments associated with the ADRs from foreign currencies into US dollars, harming the investors.

- Pro bono work pursuing exoneration for wrongfully convicted individuals, including as part of a team representing John Francis Wille, a Louisiana man sentenced to death in for murder in 1986, in a post-conviction proceeding to exonerate him based on false confessions and numerous constitutional violations. In 2014, Milbank secured a court order vacating Mr. Wille's death sentence; the Louisiana Supreme Court affirmed the lower court's decision in 2017. The team continues to fight to prove Mr. Wille's innocence.

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ADDITIONAL DETAILS

EDUCATION

University of Chicago Law School, J.D.

University of Connecticut, B.A.

ADMISSIONS

New York

US District Court for the Southern District of New York

US District Court for the Eastern District of New York

US Court of Appeals for the Second Circuit

US Court of Appeals for the Third Circuit

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EXPERIENCE

Litigation & Arbitration

United States

FEATURED NEWS

Milbank Announces 2025 New Partners

Milbank Secures Victory for Owner of Okada Manila Casino in Broken SPAC Transaction

Milbank Secures Victory on Behalf of BMI, Expanding Royalties for Songwriters and Composers

Milbank Defeats Class Certification on Behalf of Lincoln National Life Insurance Company and Lincoln National Corporation in Two Actions

Milbank Files Petition for Post-Conviction DNA Testing in Death Penalty Case

