

AVAILABLE ON THE LEXIS® AND LEXIS+™ SERVICES

SAMPLE REPORT

Context Attorney Analytics

Anticipate how opposing counsel
will argue their case and neutralize their
argument with Context Attorney Analytics.

OVERVIEW

Get an overview into an attorney's background and experience.

Context All History Help More

Roger Cowie
Locke Lord LLP

Overview Arguments Documents [Link to this page](#) [Create Report](#)

Other Experience

- Member
Locke Lord LLP
- Liddell, Sapp, Zivley, Hill & LaBoon, L.L.P.

Education

- 1987 Texas Tech University
B.B.A.
- 1992 The University of Texas School of Law
J.D.

Admissions

- US Court of Appeals for the Eleventh Circuit
- US District Court for the Southern District of Texas
- US District Court for the Northern District of Texas
- US District Court for the Eastern District of Texas
- US District Court for the Western District of Texas
- US Court of Appeals for the Tenth Circuit
- US Court of Appeals for the Fifth Circuit
- 1992 Texas Supreme Court

Documents

Cases	248
Dockets	172
Jury Verdicts & Settlements	3
Briefs, Pleadings, and Motions	252
Jury Instructions	0
Expert Witness Materials	6
Law Reviews & Journals	0
Attorney Directories	0
News	22
Legal News	71

Litigation Events by Areas of Law

(based on briefs, pleadings & motions)

Civil Procedure	147
Business & Corporate Compliance	93
Contracts Law	83
Constitutional Law	57
Banking Law	55

[View 20 More](#)

Litigation Events by Court

(based on briefs, pleadings & motions)

United States District Court, New York Southern	114
United States District Court, Texas Eastern	21
United States District Court, Texas Northern	12
United States District Court, Illinois Northern	11
United States Court Of Appeals, Second Circuit	7

[View 20 More](#)

ARGUMENT ANALYTICS

Set yourself up to neutralize opposing counsel's argument and strengthen your own by locating their previous arguments from similar cases to understand how they are likely to argue your case.

Context All Client: -None- History Help More

Roger Cowie
Locke Lord LLP

Overview **Arguments** Documents [Link to this page](#) [Create Report](#)

FILTERS

Filter by Keyword
Court
Timeline
Practice Areas & Topics
Attorney
Judge

Results (2669)

- JOINT REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF DEFENDANTS' MOTION FOR PARTIAL DISMISSAL OF THE SCHWAB AND DORAL** ...
United States District Court, New York Southern | Aug 24, 2018 | 2018 U.S. Dist. Ct. Motions LEXIS 932 | Docket 1:11-md-2262-NRB

In this passage and surrounding text

Schwab argues that the Second Circuit "settled" the sufficiency of its Exchange Act claims and that it is somehow "improp[er]" for Defendants to "revisit" Schwab's loss causation allegations. Schwab Opp. at 33-36. Schwab misreads the Second Circuit's decision. The Second Circuit did not sustain Schwab's Exchange Act claims or mandate that the Court accept any amendment as sufficient. To the contrary, the Second Circuit held that Schwab's pleadings were insufficient and permitted Schwab to "add allegations" supporting its theory of loss causation. Charles Schwab Corp. v. Bank of Am. Corp., 883 F.3d 68, 93 (2d Cir. 2018) (emphasis added). Thus, the burden remains on Schwab to plausibly allege loss causation.

BRIEF
Aug 24, 2018
- JOINT REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF DEFENDANTS' MOTION FOR PARTIAL DISMISSAL OF THE SCHWAB AND DORAL** ...
United States District Court, New York Southern | Aug 24, 2018 | 2018 U.S. Dist. Ct. Motions LEXIS 932 | Docket 1:11-md-2262-NRB

In this passage and surrounding text

But Schwab's argument is incorrect because it conflates the return on the notes with the return of the notes. It is well-settled that instruments like certificates of deposit and bank notes that are guaranteed against total loss are not securities, which was the crux of the Supreme Court's decision in *Marine Bank v. Weaver*, 455 U.S. 551 (1982). See *Gary Plastic Packaging Corp. v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 756 F.2d 230, 240 (2d Cir. 1985) ("The crux of the Marine Bank decision is that federal banking regulations and federal deposit insurance eliminate the risk of loss to the investor, thereby obviating the need for the protection of the federal securities laws."); *Tafflin v. Levitt*, 865 F.2d 595, 598-99 (4th Cir. 1989) ("We read *Marine Bank* to hold that the existence of a comprehensive regulatory and insurance system governing the issuer removes certificates of deposit issued by it from the general definition of 'securities' contained in the Act."). Here, Schwab admits that its claims are based on purchases of "ordinary" certificates of deposit and bank notes, and certificates of deposit are ordinarily FDIC-insured and/or regulated, as are at least some of the bank notes included in the appendix to the SAC, which Schwab does not dispute. Thus, the Court should conclude—as have other courts—that Schwab's certificates of deposit and bank notes—to the extent they are FDIC-insured or otherwise regulated—are not "securities" within the purview of the Exchange Act. See, e.g., *West v. Multibanco Comermex, S.A.*, 807 F.2d 820, 826-29 (9th Cir. 1987) (holding that certificates of deposit were not "securities" within the ambit of federal securities laws).

BRIEF
Aug 24, 2018
- JOINT REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF DEFENDANTS' MOTION FOR PARTIAL DISMISSAL OF THE SCHWAB AND DORAL** ...
United States District Court, New York Southern | Aug 24, 2018 | 2018 U.S. Dist. Ct. Motions LEXIS 932 | Docket 1:11-md-2262-NRB

In this passage and surrounding text

Schwab's reliance on *LIBOR IV* is misplaced. There, the Court held that plaintiffs could adequately plead a fraud by omission claim against a counterparty by "plausibly" alleging that "defendants were either themselves manipulating LIBOR or that defendants were large banking institutions with access to nonpublic data about real inter-bank transactions." In re *LIBOR-Based Fin. Instruments Antitrust Litig.* (*LIBOR IV*), No. 11-md-2262 (NRB), 2015 WL 6243526, at *58 (S.D.N.Y. Oct. 20, 2015). That holding was premised on the disclosure duties of contracting parties and does not apply to Schwab's section 20(a) claims. The Court did not hold that plaintiffs can state a section 20(a) claim (or other non-counterparty claim) against any non-counterparty affiliate based solely on its status as a large financial institution, without any plausible allegation that the affiliate knew of or participated in the alleged underlying fraud. To the contrary, the Court has largely required plaintiffs in this multidistrict litigation to plausibly allege participation in the alleged suppression by affiliates in order to bring claims against those affiliates. See, e.g., In re *LIBOR-Based Fin. Instruments Antitrust Litig.*, No. 11-md-2262 (NRB), 2016 WL 1733463, at *3 (S.D.N.Y. Apr. 29, 2016) ("Plaintiffs have not pleaded facts or submitted supporting material that suggests that any panel bank's United States-based affiliate played a role in that bank's alleged persistent suppression of LIBOR.")

DOCUMENTS

Uncover all there is to know about an attorney by searching for related information across 10 key content types on the Lexis and Lexis+ services.

The screenshot shows the Lexis Context interface for a search on Roger Cowie at Locke Lord LLP. The search bar contains the text "Enter the name of an expert, an area of expertise, judge, court, attorney or company". The search results are displayed under the "Documents" tab, showing 248 results. The results are sorted by "Date (Newest - Oldest)". The first 10 results are listed below:

Rank	Case Name	Date	Court
1.	In re Libor-Based Fin. Instruments Antitrust Litig., 2020 U.S. Dist. LEXIS 236662	Dec 16, 2020	United States District Court for the Southern District of New York
2.	Dawson v. United Ins. Co. of Am., 2020 U.S. Dist. LEXIS 230701	Dec 2, 2020	United States District Court for the Middle District of Florida, Jacksonville Division
3.	Allianz Global Inv'rs GmbH v. Bank of Am. Corp., 2020 U.S. Dist. LEXIS 225288	Nov 27, 2020	United States District Court for the Southern District of New York
4.	In re LIBOR-Based Fin. Instruments Antitrust Litig., 2020 U.S. Dist. LEXIS 220369	Nov 24, 2020	United States District Court for the Southern District of New York
5.	Contant v. Bank of Am. Corp., 2020 U.S. Dist. LEXIS 217458	Nov 19, 2020	United States District Court for the Southern District of New York
6.	Rotstain v. Trustmark Nat'l Bank, 2020 U.S. Dist. LEXIS 208327	Nov 6, 2020	United States District Court for the Northern District of Texas, Dallas Division
7.	In re Libor-Based Fin. Instruments Antitrust Litig., 2020 U.S. Dist. LEXIS 206572	Oct 30, 2020	United States District Court for the Southern District of New York
8.	In re Libor-Based Fin. Instruments Antitrust Litig., 2020 U.S. Dist. LEXIS 204123	Oct 27, 2020	United States District Court for the Southern District of New York
9.	Nypl v. JPMorgan Chase & Co., 2020 U.S. Dist. LEXIS 198530	Oct 23, 2020	United States District Court for the Southern District of New York
10.	33-35 Green Pond Rd. Ass'n, LLC v. Bank of Am., Corp. (In re Libor-Based Fin. Instruments Antitrust Litig.), 2020 U.S. Dist. LEXIS 184289	Oct 5, 2020	United States District Court for the Southern District of New York

This sample Attorney Report is screen captured as seen on Context in Lexis® in January 2021. This same attorney report on Lexis is subject to change, reflecting new legal activities.

SIGN IN
[Lexis.com](#)

**CONTACT YOUR LEXISNEXIS® REPRESENTATIVE
FOR MORE INFORMATION.**

LEARN MORE
[LexisNexis.com/Context](#)

