



**CATHERINE GRANTIER
COOLEY**

Partner

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716.848.1456

Catherine regularly defends fiduciaries of health and welfare benefit plans governed by the Employee Retirement Income Security Act (ERISA), including plan sponsors, administrators and third-party administrators, against claims brought by plan participants, either individually or as a class action. She also represents securities firms, investment advisors, broker-dealers and brokers in Financial Industry Regulatory Authority (FINRA) arbitrations and litigations, including class actions in both federal and state courts, and in proceedings before the Securities and Exchange Commission (SEC). Catherine has also represented parties in contested Surrogate's Court matters and Article 81 proceedings, and is regularly appointed by the Surrogate's Court as a Guardian ad Litem.

Catherine is a member of the board of arbitrators of FINRA, where she hears and decides issues relating to customer and intra-company disputes. She has also mediated customer disputes involving investment advisors, broker-dealers, and brokers. Catherine also sits on the New York Surrogate Decision-Making Committee as an attorney panel member, where she hears and decides issues relating to consent for major medical procedures for incapacitated individuals. Catherine is a former adjunct professor at the University at Buffalo School of Law, where she taught a course on New York civil practice.

Honors

- Listed, *Best Lawyers in America* (Commercial Litigation) 2024

Experience

Hodgson Russ represented 75 named plaintiffs in a class-action case involving an investment advisor's fraudulent investment scheme. After an 18-month litigation, we obtained for our clients provisional relief and a judgment against the investment advisor for more than \$20 million. The plaintiffs have thus far collected funds in excess of \$4 million, which is atypical for victims in cases like this, who are often not

The Guaranty Building
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Suite 100
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Practices & Industries

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College & University
Construction
Financial Services
Investment Management &
Compliance
Securities Regulation & Corporate
Compliance
Trusts & Estates Controversies

Admissions

New York
U.S. District Court, Northern
District of New York
U.S. District Court, Western District
of New York
U.S. District Court of Wisconsin
U.S. Court of Appeals, Second

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able to recover any amount of their lost investment. A receiver has been appointed, and it is possible the class members will be entitled to additional recovery. Moreover, because this litigation morphed into a class action, victims of the scheme who under normal circumstances could not afford to retain counsel were able to benefit from this judgment.

Hodgson Russ is defending a large healthcare organization in a multi-million dollar ERISA class action related to administration of defined benefit plans and claims of excessive administration and investment fees. Our work includes defending the organization, the Board of Directors' and its committees' actions, decision-making, and execution of their fiduciary duties related to the plans' recordkeeping fees and investment fees.

In a case involving claims of fraud, negligence, and breach of fiduciary duty against a securities broker, Hodgson Russ attorneys obtained an award after hearing from a Financial Industry Regulatory Authority (FINRA) arbitration panel dismissing all claims and expunging the complaint from the broker's record.

Hodgson Russ regularly represents third-party administrators and insurers in connection with claims for disability benefits under ERISA-governed plans, many times obtaining summary judgment dismissing the claims in their entirety.

Publications

SEC Adopts Final Pay Versus Performance Rules

Hodgson Russ Securities Regulation & Corporate Compliance Alert, September 15, 2022

Robinhood Trading App in SEC and State Regulator Crosshairs

Hodgson Russ Securities/Directors & Officers Litigation Alert, December 18, 2020

Update on CARES Act Emergency Financial Aid Grants to Higher Education Students

Hodgson Russ College & University Alert, July 31, 2020

Early COVID-19 Court Decisions Supporting Executive Orders Suggest How the Courts May View Their Impact On Business Relationships

Hodgson Russ Business Litigation Alert, June 23, 2020

Securing Payment or Forbearance in the Time of COVID-19

Hodgson Russ Business Litigation and Bankruptcy & Restructuring Alert, June 22, 2020

Zooming Into Court: New Complaint filed Against Zoom Related to COVID-19

Hodgson Russ Securities/Directors & Officers Litigation Alert, June 16, 2020

Circuit

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Seventh Circuit

Education

Canisius College, B.A.

University at Buffalo School of Law,
J.D., cum laude

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SEC Updates Rules on Financial Disclosures for Business Acquisitions and Dispositions
Hodgson Russ Securities Regulation & Corporate Compliance Alert, June 5, 2020

Uptick in Investor Class Action Lawsuits Expected Due to COVID-19
Hodgson Russ Class Action Litigation Alert, May 29, 2020

SEC Discusses COVID-19 Pandemic-Related Enforcement Priorities
Hodgson Russ Business Litigation Alert, May 22, 2020

Preparing Your Required Covid-19 Health and Safety Plan for An Energy Construction Business Reopening
Hodgson Russ Renewable Energy and Construction Alert, May 15, 2020

Presentations & Events

New York State Bar Association Annual Meeting
January 23, 2022

Estate Litigation: 1404 Examinations & Contested Accountings
NYSBA, Hyatt Place Buffalo/Amherst, December 10, 2019

Bar Association CLE Seminar: Negotiating Production Stipulations and ESI Protocols
Buffalo, NY, June 24, 2015

Erie Institute of Law Seminar: E-Discovery - Preservation and Avoiding Spoliation
Buffalo, NY, December 17, 2014

Erie Institute of Law Seminar: Everything You Need to Know About E-Discovery, the Short Version
Buffalo, NY, September 11, 2014

Erie Institute of Law Seminar: Document Management in the Age of E-Filing
Buffalo, NY, November 1, 2013

Eighth Judicial District Judicial Meeting: ESI - Who Pays?
Buffalo, NY, May 2, 2012

Erie Institute of Law & Monroe County Bar Center for Education's 2012 Western New York Bankruptcy Conference
May 1, 2012

Niagara Frontier Corporate Counsel Association Seminar: Cutting Costs and Avoiding Sanctions in E-Discovery
Buffalo, NY, August 1, 2010

Canadian Institute's 13th Annual In-House Counsel Congress
Toronto, ON, November 1, 2009

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Professional Affiliations

- New York State Bar Association: Commercial and Federal Litigation Section
- Bar Association of Erie County

Community & Pro Bono

- New York State Surrogate Decision-Making Committee, attorney panel member
- Qualified Guardian ad Litem
- Former Chair, Board of Trustees, Executive Committee and Governance Committee for Villa Maria College
- Former Adjunct Professor (court title “Problems in New York Practice”): University at Buffalo School of Law