



Contact

Shiloh Rainwater

Associate

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Shiloh Rainwater is an associate in the Litigation Department and a member of the Firm's Appellate, Real Estate, and Mass Torts & Product Liability Groups. Shiloh's practice spans a broad spectrum of appellate matters and complex commercial disputes, with a particular emphasis on contracts, bankruptcy, constitutional law, labor & employment, real estate, and securities.

Shiloh has successfully represented clients in high-stakes appeals in state and federal appellate courts across the country, including at the certiorari and merits stages in the U.S. Supreme Court. He has been part of the core team that prevailed at the Supreme Court on behalf of the Financial Oversight and Management for Puerto Rico in an 8-1 decision that recognized the Board's sovereign immunity and at the First Circuit in numerous appeals stemming from Puerto Rico's historic debt restructuring, including appeals seeking to overturn Puerto Rico's \$33 billion plan of adjustment. Shiloh also helped obtain a critical victory at the Eighth Circuit in an appeal raising a question of first impression concerning whether avoidance actions constitute saleable property of the bankruptcy estate. Several of these representations have earned "Litigator of the Week" runner-up and shout-out honors from *The American Lawyer*. He has also co-authored chapters of *Principles of Appellate Litigation: A Guide to Modern Practice* (PLI Press), a leading treatise on appellate practice that is updated annually.

At the trial level, clients routinely turn to Shiloh to handle the most difficult matters at every stage of litigation. Shiloh's varied experience includes serving as the lead associate representing Walmart in opposing conditional certification of the largest FLSA collective action in history related to COVID-19 screening policies; Warner Brothers Discovery in a \$150 million dispute over the value of a tendered interest in a joint venture; and Monsanto in litigating claims alleging that use of the herbicide Roundup causes non-Hodgkin's lymphoma.

Shiloh maintains an active pro bono practice. For several years, he has provided pro bono representation to a veteran seeking vocational rehabilitation & employment benefits from the Department of Veterans Affairs. He has also represented prisoners asserting claims against prison officials for violations of their Eighth Amendment rights.

Before joining Proskauer, Shiloh served as a law clerk to the Honorable James O. Browning of the U.S. District Court for the District of New Mexico, one of the nation's most prolific federal judges. He also clerked for the Honorable Gregory A. Phillips of the U.S. Court of Appeals for the Tenth Circuit.

Practices

Mass Torts & Product Liability, Litigation, Appellate, Real Estate Litigation

Education

Emory University, J.D.

Executive Notes & Comments Editor, *Emory International Law Review*

Pepperdine University, B.A.

Admissions & Qualifications

Colorado

New York

Clerkships

U.S. Court of Appeals, Tenth Circuit - Hon. Gregory A. Phillips

U.S. District Court, New Mexico - Hon. James O. Browning

Court Admissions

Supreme Court of the United States
U.S. Court of Appeals, First Circuit
U.S. Court of Appeals, Second Circuit
U.S. Court of Appeals, Eighth Circuit
U.S. Court of Appeals, Ninth Circuit
U.S. Court of Appeals, Tenth Circuit
U.S. Court of Appeals, District of Columbia Circuit
U.S. District Court, New York, Southern District
U.S. Court of Appeals for Veterans Claims

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New York State Bar Association