ELMAN FREIBERG PLLC



Scott O'Brien

Counsel

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Education

- Duke University School of Law, J.D. 2016
- Dartmouth College, B.A. 2012

Bar Admissions

- New York

Court Admissions

- US District Court, Southern District of New York
- US District Court, Eastern District of New York

Scott is an experienced litigator who has represented private clients and institutions, including Fortune 500 companies and global banks, in both civil litigation enforcement actions. He has led cross-border investigations conducted by U.S. civil and criminal enforcement agencies, as well as foreign authorities and agencies. Scott also has extensive experience in complex commercial litigation and arbitration, including expertise in industry-leading electronic discovery and document management platforms. Scott has been recognized in Best Lawyers: Ones to Watch in America 2026 for commercial litigation and white collar criminal defense.

Prior to joining Elman Freiberg, Scott worked in the litigation and trial practice groups at Sullivan & Cromwell LLP and Alston & Bird LLP, and served as a judicial law clerk to the Honorable William H. Pauley III of the U.S. District Court for the Southern District of New York. Outside of work, Scott enjoys playing golf, cooking, and the Cincinnati Bengals/Reds.

Selected Experience

- Represented beneficiaries and fiduciaries in litigation over multimillion-dollar estates and trusts, including disputes over testamentary capacity and breach of fiduciary duty by trustees
- Represented startup founders in dispute with purported co-founder on breach of contract and theft of business ideas claims, obtaining a favorable resolution for founders and company
- Defended former bank CEO in investigation by the Office of the Comptroller of the Currency into allegations of fraudulent lending practices, resulting in no-admit/no-deny resolution
- Led high-stakes internal investigation into potential violations of Foreign Corrupt Practices Act by employees of multinational commodities trader
- Advised and represented more than a dozen current and former executives of Fortune 500 company in connection with multi-billion dollar products liability litigation and parallel government investigations
- Obtained summary judgment in favor of foreign dignitary in connection with fraudulent investment scheme perpetrated in the United States