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HHR Scores Win for FaZe Clan in SDNY Case

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October 6, 2022 - An HHR team led by Jim Boykin and Kevin Abikoff helped FaZe Clan, a top-ranked esports and entertainment organization, win a victory in the Southern District of New York against Adult Use Holdings and Zola Ventures, venture firms that were early Series A and Series B investors in the gaming company. The team also included Malik Havalic, Elizabeth Zhou and Carter Rosekrans.

On September 28, Judge Mary Kay Vyskocil denied Adult Use and Zola's petition to vacate or modify an August 2021 pre-hearing arbitral award which rejected their claims, and instead granted FaZe Clan's cross-petition to confirm the award. Adult Use and Zola specifically claimed that the award exceeded the arbitrator's authority and deprived them of a fair opportunity to present evidence, but Judge Vyskocil disagreed, noting, among other things, that Adult Use and Zola had failed to avail themselves of the opportunity to present evidence and arguments when they had a chance during the arbitration.

In August 2021, the firm scored a complete arbitration victory for FaZe Clan when an International Centre for Dispute Resolution arbitrator [issued a partial final award](#) dismissing all claims by the two venture firms, who sought compensation for introducing the esports company to an investment broker. The award marked a rare pre-hearing victory on a AAA Rule 33 dispositive motion. Adult Use and Zola initially sought to vacate the decision in the arbitral proceedings, but the arbitrator rejected the application on procedural grounds, leading to their federal court challenge.

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