

## Katherine B. Kramer

PARTNER

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### AREAS OF FOCUS

[Appellate Practice](#)

[Class Action Defense](#)

[Complex Commercial Litigation and Arbitration](#)

**Katie Burghardt Kramer is a tenacious litigator and exceptional strategist who is committed to obtaining the best possible results for her clients.**

Katie focuses her practice on class action defense and commercial litigation, along with arbitration matters. Based in New York, she has a national and international practice, regularly handling matters in federal and state courts across the United States. Having practiced for more than 15 years, Katie is a seasoned litigator with significant trial and appellate experience. She excels in every stage of litigation – from formulating initial theories, to communicating with juries, to honing appellate briefs and presenting compelling oral arguments, and every stage in between. At the same time, Katie is attentive to the nuances of each client's goals, approaching cases pragmatically, with a focus on delivering the most favorable results for her clients whether through litigation or negotiated resolutions.

Katie also has significant experience handling cross-border disputes, particularly on behalf of clients based in Asia, including but not limited to Korea and China. Katie has litigated numerous petitions for discovery under 28 U.S.C. § 1782, which allows parties to obtain discovery for use in a foreign proceeding, and regularly assists overseas clients in such matters. She has handled numerous cross-border international arbitration and U.S. litigation matters.

Katie began her career at a multinational law firm in New York before going on to complete two federal clerkships. Immediately prior to joining DTO, Katie practiced at a boutique she helped establish. She splits her time between New York City and Vermont, where she enjoys skiing in the winter and lake swimming in the summer.

### Experience

- Representing a digital money-transfer platform, in a Lanham Act class action lawsuit brought by a putative class of businesses. Plaintiffs presented

novel applications of the Lanham Act and New York General Business Law Sections 349 and 350 in this New York federal court action. Representation to date has included dispositive motions and opposition to class certification, along with numerous discovery disputes.

- Representing automobile company in a putative multi-state class action in the Northern District of Alabama regarding allegations of a purportedly defective fuel pump. DTO's first motion to dismiss succeeded in knocking out approximately half of the 78 claims asserted by Plaintiffs in their 200+ page complaint. Subsequent motion practice further narrowed the claims. Discovery has been ongoing, including voluminous document disclosure and multiple depositions.
- Represented a leading Chinese artificial turf manufacturer in international arbitration, including as lead counsel during the six-day final hearing that resulted in a successful award on client's counterclaims.
- Represented defrauded investors in recovering real estate investment assets, through civil litigation and pursuit of bankruptcy claims, including numerous complex matters representing groups of investors in the EB-5 immigration investment program.
- Counsel for defendants in numerous intellectual property infringement actions in New York, Florida, and Illinois, resulting in favorable resolutions.
- Lead counsel on U.S. Supreme Court amicus curiae brief submitted on behalf of arbitrators and legal scholars, in *ZF Automotive US, Inc., et al. v. Luxshare, Ltd.*, presenting practical guidance to the Court on statutory interpretation of 28 U.S.C. § 1782 and supporting the position ultimately adopted by the Court.

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## **Credentials**

### **Education**

- Stanford University Law School, J.D.
- Yale University, B.A.

### **Prior Affiliations**

- DGW Kramer LLP
- Simpson Thacher & Bartlett LLP

### **Admissions**

- Admitted in New York and Vermont

**Federal Courts**

- United States Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Southern and Eastern District of New York
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of Vermont

**Clerkships**

- Hon. Christina Reiss, 2011 – 2012
- U.S. District Court for the District of Vermont
- Hon. Andrew Guilford, 2010 – 2011
- U.S. District Court for the Central District of California

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**Professional Affiliations**

- American Bar Association International Law Section, International Litigation Committee, *Co-Chair for Programs*
- Federal Bar Council, Program Committee, *Member*
- Leadership Council on Legal Diversity, *Fellow*
- New York State Bar Association, International Section, Commercial and Federal Litigation Section
- ArbitralWomen

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**Speaking Engagements**

- Protecting the Privilege: A Primer on Avoiding Privilege Waivers After Selective Disclosure, Federal Bar Council CLE, May 2025
- Class Action v. Collective Redress – What Works, What Doesn't?, American Bar Association International Law Section Annual Conference, April 2025
- Disclosure, Documents, Depositions, and More: A Discussion of Pre-Trial Discovery Practices Around the Globe, American Bar Association International Law Section, May 2024
- The Basics of EB-5 Fraud Litigation: Defending Defrauded Investors, Asian American Bar Association, June 2021
- Bitcoin and Other Cryptocurrency: What Lawyers Need to Know, Vermont Bar Association Tech Day, May 2018

## **Publications**

- An Unhappy Bargain: The Downsides of Arbitration, *ABA Litigation Journal*, Fall 2019, Katie Burghardt Kramer & Amiad Kushner
- Zen and the Art of a [Brief] Reply, *ABA Litigation Journal*, Summer 2018
- Top Five Appellate Mistakes – and How to Avoid Them, October 9, 2017
- U.S. Supreme Court Rules that Attorney’s Fees Sanctions for Litigation Misconduct Must Be Causally Related to the Misconduct, Federal Bar Association SideBAR, Fall 2017
- Opposing Defense Motions to Exclude Evidence of Grief and Anguish in Wrongful Death Cases, 39 Vermont L. Rev. 4 (2015)