

## Real Estate Litigation

Attorneys in Cohen & Gresser's Real Estate Litigation practice are well-versed in handling complex real estate litigation and are collaborative, agile, and efficient in optimizing clients' outcomes. We have extensive experience representing developers of large-scale commercial and residential properties, hotels, and retail properties; institutional and private lenders; and domestic and international investors, including hedge fund managers and other alternative asset managers, in litigation and arbitration throughout the world. We regularly advise on cases alleging breach of fiduciary duty, breach of contract, zoning issues, real estate-related corporate and securities claims, and other real estate disputes.

### Real Estate Litigation Representations

Represented real estate development company in a series of lawsuits regarding a \$940 million lease.

Represented real estate developer in tortious interference with contract dispute against regional savings bank, including two appeals to the Appellate Division of the Supreme Court of the State of New York, First Department. Summary judgment for our client was granted by the trial court and affirmed on appeal.

Represented major real estate developer in multiple litigations arising from dispute over dissolution of partnership between founding members.

Defended a real estate company in lawsuits from a former executive concerning an alleged breach of the executive's employment agreement and claims relating to the executive's membership interests in a related company.

Represented national real estate developer in complex commercial dispute with consortium of lenders.

Represented national home builder in lawsuit concerning construction and development of a large, planned community.

Defended a real estate corporation in a derivative suit claiming corporate waste, fraud, breach of fiduciary duty, and breach of contract.

Obtained summary judgment enforcing foreign award in favor of senior mortgagor, dismissal of counterclaims, and appointment of receiver for midtown hotel.

Represented the Special Litigation Committee of the Board of Directors of a prominent real estate investment trust in investigating shareholder allegations that the board of directors breached its fiduciary duty and wasted corporate assets in connection with two transactions.

Represented a Middle Eastern real estate company in litigation proceedings with an international bank in connection with alleged negligent and fraudulent misstatements.

Represented a real estate investment firm and its chief executive officer in connection with direct and derivative claims asserted by outside investors in certain of the firm's deals.

Represented a reinsurer in litigation arising out of an asbestos settlement.

Represented private equity firm in complaint against hotel for infringing on property rights.

Represented high net worth individual in real estate dispute.

Representing trade organizations in connection with an Article 78 proceeding filed against New York City in connection with the Department of Buildings' determination regarding the use of modular construction in development projects.

Defended investment bank's real estate subsidiary in connection with allegations of fraud and breach of contract in the purchase of a chain of assisted living companies, matter settled after partial dismissal of claims.

Represented railroad in two takings and breach of contract cases following Army Corps of Engineers' commandeering of railroad property interests for use in federal floodwall projects.

Represented a New York City landowner in a successful arbitration relating to a rent adjustment.

Represented a major investment bank in a multi-million dollar commercial real estate dispute, including an appeal of the bench trial decision.

Represented investment bank in litigation concerning purchase of commercial real estate in New York.

Represented a leading beauty company in 65-day JAMS hearing resulting in successful acquisition of property.

Represented an affiliate of a major private equity firm in a contractual dispute relating to a major international real estate development project.

Representation of a foreign hotel chain in litigation over New York development project.

Represented individual partner in breach of fiduciary duty dispute regarding ownership of Manhattan apartment building.

Represented asset management fund in lending dispute relating to commercial real estate development project.

Represented limited partner in real estate partnership in a suit against the general partner claiming breach of fiduciary duty in connection with a buyout of a partnership interest at below-market price.

Represent the holding corporation of a prominent golf club in a shareholder derivative suit alleging breach of fiduciary duty.