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## David Gorvitz

Shareholder

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David Gorvitz represents businesses, business owners, investors, executives, and professionals in a wide variety of complex commercial disputes, involving contracts, business torts, real property rights, problems in heavily regulated industries, and other issues arising from commercial activity.

David often represents equity owners in privately-held entities, from family operations to businesses with hundreds of partners, in matters such as disagreements over minority rights, claims of breaches of fiduciary duties, freeze-outs, employment issues, and asset liquidations and distributions. Many entities David represents have international ownership.

Another focus of David's practice is real estate litigation. He has handled a number of commercial foreclosure cases. Working with members of the firm's Real Estate Group, he has advised commercial landlords, tenants, mortgagees, mortgagors, and tax certificate holders regarding their rights. David has also written on the subject of foreclosure.

Beyond business litigation, David has a robust fiduciary litigation practice. Working with members of the firm's Tax, Trusts and Estates Group, he regularly represents both fiduciaries and beneficiaries in a wide variety of complex disputes before probate courts.

David was a law clerk for the Hon. Harriet Derman, P.J.Ch., and Hon. Allison E. Accurso, P.J.Ch. of the Superior Court of New Jersey in 2008-2009. Prior to going to law school, he was a vice president at an investor relations and strategic consulting firm.

### **Representative Experience**

- 10+ year effort on behalf of investment partnership to recover Madoff Ponzi scheme losses, including some of biggest known single-investor judgments against "feeder fund" manager and major public accounting firm



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- Defense of South American conglomerate chairman in 6-day New York state court contempt trial arising from \$17 million judgment, resulting in favorable decision
- Service as New York and New Jersey litigation counsel to major national business record storage and management company, handling disputes involving storage contracts, post-merger restrictive covenants, and public entity bid protests
- Representation of one of the most prominent New York City developers in complex multiparty New Jersey foreclosure action, defeating \$11 million borrower third-party claim
- Successful litigation on behalf of co-trustee to prevent decanting of substantial charitable trust
- Obtaining broad injunctive relief to prevent "freeze-out" of non-controlling equity owner in one of New Jersey's largest car dealerships
- Securing New Jersey Supreme Court reversal of erroneous lower court interpretation of Check Cashers Regulatory Act on behalf of long-established check cashing business operator

### **Professional/Community Activities**

- New Jersey State Bar Association
  - Special Committee on Equity Jurisprudence, member
- New York State Bar Association, member
  - Commercial and Federal Litigation Section, Committee on Legislative and Judicial Initiatives, member
  - Ukraine Task Force, member

### **Practice Area**

- Litigation and Dispute Resolution

### **Education**

- Washington University School of Law, J.D., 2006
- Yale University, B.A., 1999

### **Admissions**

- New Jersey, 2006
- New York, 2007
- United States Court of Appeals, Second Circuit,
- United States District Court, District of New Jersey,
- United States District Court, Southern District of New York,
- United States District Court, Eastern District of New York,