



David J. Eiseman

Partner

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Practice Areas

Complex Business Fraud Litigation | Corporate, M&A and
Venture Capital | Litigation/Alternative Dispute Resolution

David Eiseman, one of the founders of the firm, is a commercial litigator with over 35 years of experience advising clients and handling all aspects of disputes, from pre-litigation strategy to trial and appeal. David's practice includes a wide range of commercial matters and he has successfully tried numerous cases through to verdict and argued numerous appeals, both in federal and state courts. He has also participated in numerous arbitrations and has served as an international arbitrator.

David's practice focuses on complex business and financial matters. The types of cases he litigates run the gamut and include partnership disputes, claims involving derivatives and financial instruments, art fraud and forgery, securities fraud, claims by court-appointed receivers and bankruptcy trustees and D&O insurance coverage.

David was named one of the "Top 100 Lawyers" in the New York Metro Area by Super Lawyers (2017-2019).

Representative Cases

- Obtained outright dismissal of lawsuit claiming, among other things, discrimination and harassment against group of five independent directors of privately-held company.
- Represented receiver for a company used to perpetrate a Ponzi scheme on investors and successfully

prosecuted claim against Deutsche Bank to invalidate its security interest on securities deposited in the name of the company, resulting in recovery of more than \$20 million for the estate and defrauded investors. (Second Circuit, 386 F.3d 438; District Court, 279 F.Supp. 2d 247).

- Obtained outright dismissal of lawsuit seeking over \$80 million from real estate developer following more than a decade of litigation and multiple appeals. (New York Appellate Division, 155 A.D.3d 405).
- Represented individual and corporate client in multi-party, multi-jurisdictional dispute arising out of the development of mobile telecommunications networks in Russia, obtaining outright dismissal of claims brought by Cypriot company, and the successful settlement of multiple lawsuits by other parties in State court, Federal Court and the courts of Cyprus. (New York Appellate Division, 41 A.D.3d 348, 839 N.Y.S.2d 726).
- Obtained multi-million dollar judgment on behalf of investors in art fund against the fund and the individual who ran the fund.
- Obtained defense verdict following a two-week jury trial for U.S. subsidiary of Turkish manufacturer of copper wire products accused of stealing trade secrets.
- Represented Chapter 11 Trustee in litigations arising out of misappropriation of more than \$100 million from entities serving as qualified intermediaries in like-kind exchanges of investment property.
- Represented high-level officer in connection with his resignation from investment banking firm and commencement of employment at another firm, including successful mediation of disputes arising from claims of breach of non-solicitation and confidentiality provisions of employment agreement.

Professional Activities

- Member, American Bar Association, Litigation Section
- Member, The Association of the Bar of the City of New York
- Member, Art Law Committee of the Association of the Bar of the City of New York

Publications

- "Commencing an Action - *Laches*: The Latest Trends," *Art Litigation Dispute Resolution Institute*, November 21, 2008
- "Arbitration of Workplace Sexual Harassment and Discrimination Claims", November 14, 2016, *New York Law Journal*

Awards

- Included among the *Super Lawyers "Top 100"* - New York Metro area (2017-2019)
- Named in *Super Lawyers* (2006-2011, 2013-2022)
- "Preeminent A-V" Rated by Martindale Hubbell

Speaker/Author

- Lecturer in Securities Litigation Program of The American Bar Association Center for Continuing Legal Education

Education & Honors

- Columbia Law School, J. D., Kent Scholar, Harlan Fiske Stone Scholar, Writing and Research Editor, *Columbia Law Review*
- Rutgers College, B. A., with highest honors, member, Phi Beta Kappa

Prior Work Experience

- Kramer Levin Naftalis & Frankel LLP
- United States Department of Justice, Honors Program, Antitrust Division

Bar Admissions

- State of New York
- U.S. District Court, Southern and Eastern Districts of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Supreme Court