

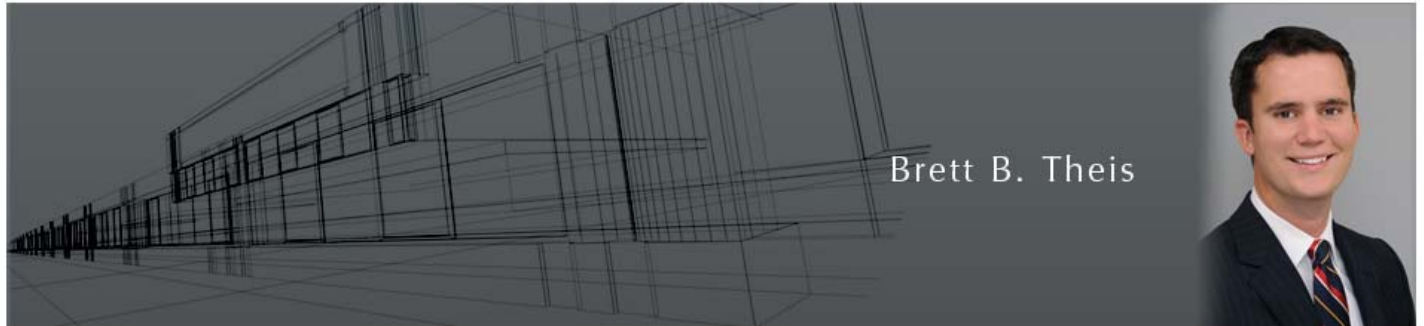


ROSENBERG & ESTIS, P.C.

Comprehensive Real Estate Representation

733 Third Avenue • New York, NY 10017 • 212-867-6000

[www.rosenbergestis.com](http://www.rosenbergestis.com)



### **Associate**

Phone: 212-551-8494  
Fax: 212-551-8484  
E-mail: [btheis@rosenbergestis.com](mailto:btheis@rosenbergestis.com)

Brett Theis joined the firm's litigation group in 2008 and immediately contributed to its success. Mr. Theis has represented large real estate developers, landlords and tenants, sponsors, hospitals and other institutions in a diverse range of issues in all City, State and Federal Courts, including construction delay and defective design claims, landlord/tenant disputes and claims under the Americans with Disabilities Act to name a few. He is particularly adept at evaluating the strengths and weaknesses of complex cases and choosing a successful strategy to obtain a favorable result for the firm's clients, whether through litigation, negotiation or otherwise.

Mr. Theis has successfully tried jury and non-jury cases, and although he is a trial lawyer at heart, he has been equally successful winning cases on motions and obtaining varying types of extraordinary injunctive relief. In one such case, Mr. Theis obtained a mandatory preliminary injunction from Supreme Court compelling the owner of an occupied commercial condominium unit to permit the owner of the building to install cables for a cellular communication system on the roof of the building. After a lengthy oral argument, Mr. Theis also successfully obtained summary judgment dismissing multiple counterclaims and an award of attorneys' fees in an action commenced by a sponsor to permanently enjoin a long-term occupant of the building from continuing to operate a wood cabinetry shop after a change in the Zoning Resolution. Beyond the courtroom, Mr. Theis has also had successful results in administrative proceedings. While representing Beekman Hospital, he convinced the United States Department of Housing and Urban Development to grant the hospital an "across the board" 42 percent rent increase for its rent regulated staff residences.

Mr. Theis' legal career started in the New York City Law Department, where he was awarded for his outstanding achievement in commercial and real estate litigation as a first year attorney by the Corporation Counsel.

# BRETT B. THEIS

(continued)

---

## Areas of Practice

Litigation (Commercial)  
Litigation (Real Estate)  
Appellate Law  
Condominium/Cooperative Law  
Americans with Disabilities Act ("ADA") Litigation  
Landlord Tenant Law

## Bar Admissions

New York, 2004  
U.S. District Court, Southern District of New York, 2004  
U.S. District Court, Eastern District of New York, 2004

## Education

**Villanova University School of Law**, J.D. - 2003  
**West Chester University**, B.A. - 2000

## Representative Cases

*184 Joralemon LLC v. Brooklyn Law School*, 31 Misc.3d 1201(A) (N.Y. Sup. Ct. 2011)  
*Salnikova v. Cuomo and S&P Associates of New York*, 2010 WL 4053102, 2010 N.Y. Slip  
op. 32791 (U) (N.Y. Sup. Ct. 2010)  
*Ladies Mile v. Dicmond*, Sup. Ct. N.Y. Co. Index No. 111368/04  
*Dolp 675 Properties II, LLC v. Borai Capital LLC*, Sup. Ct. N.Y. Co. Index No. 600953/09  
*Manhattan Properties I, LLC v. Park B. Smith, Inc.*, Sup. Ct. N.Y. Co. Index No. 600924/09  
*VNO 100 West 33rd Street LLC v. Square One of Manhattan, Inc.*, 22 Misc.3d 560 (Civ. Ct.  
N.Y. Co. 2008)

## Honors and Awards

Outstanding Achievement in Commercial and Real Estate Litigation as a First Year  
Attorney, City of New York, Office of the Corporation Counsel, 2004

## Professional Associations and Memberships

New York City Bar Association, Member  
New York State Bar Association, Member