



# GERARD S. STRAIN

## OF COUNSEL - Litigation

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### **Practice Areas**

Real Estate Litigation  
Design and Construction Litigation  
Commercial Litigation

### **Bar Admissions**

New York, 2003  
U.S. District Court Southern District of New York, 2003  
U.S. District Court Eastern District of New York, 2003

### **Education**

#### **New York Law School**

• J.D. - 2002

#### **Long Island University**

• B.A. (*cum laude*) - 1997

#### **Honors & Activities:**

• National Criminal Justice Honor Society (Alpha Phi Sigma)

**Gerard S. Strain** joined Rosenberg & Estis, P.C. in 2019 and is of counsel with the firm's Litigation Department. Mr. Strain takes a practical approach to complex matters while seeking the most favorable results for his clients. He is a seasoned courtroom litigator who has obtained favorable decisions from judges and juries alike. Mr. Strain's successes have set legal precedence such that the decisions are cited by other judges in other cases for the principle of law he helped to establish.

Mr. Strain manages complex construction, real estate and commercial litigations on behalf of developers, property owners, condo/coop boards, unit owners, and business owners in matters involving construction and/or design defects. Mr. Strain also has significant experience handling commercial disputes and is well-versed in litigating matters arising out of commercial contracts, operating agreements, joint ventures, shareholder agreements, asset/stock purchase agreements, restrictive covenants, stand-by letters of credit and/or financing agreements, promissory notes, license agreements, and employment contracts. Mr. Strain has also successfully defended property and business owners against claims of discrimination and harassment under federal, state and local statutes.

Prior to joining Rosenberg & Estis, Mr. Strain was an associate with Kane Kessler P.C. At the start of his career, Mr. Strain gained significant trial, appellate and courtroom experience at the New York City Law Department, where he litigated multi-million dollar commercial, construction and employment discrimination cases on behalf of the City of New York.

### **Notable Work**

- Obtained summary judgment dismissing more than \$1 million in claims of fraudulent conveyance and violations of the Debtor Creditor Law against a business owner.
- Fended off claims by subcontractors against property owners and general contractors.
- Obtained favorable decisions on behalf of property owners for construction and/or design defects against architects and general contractors.

