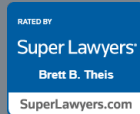




BRETT B. THEIS

MEMBER - Litigation

733 Third Avenue, New York, NY 10017 btheis@rosenbergestis.com 212-551-8494



Practice Areas

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

Brett B. Theis joined Rosenberg & Estis, P.C. in 2008 and is a member with the firm's Litigation Department. Mr. Theis has represented large real estate developers, commercial landlords and tenants, sponsors, hospitals and other institutions in a diverse range of issues in all City, State and Federal Courts. His practice areas include construction litigation, commercial and residential landlord/tenant disputes, appeals and coop/condo law. He is particularly adept at evaluating the strengths and weaknesses of complex cases and choosing a successful strategy to obtain favorable results.

Mr. Theis has successfully tried jury and non-jury cases. Although he is a trial lawyer at heart, Mr. Theis has been equally successful winning cases on motions and obtaining 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 grant the owner of the building access 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 achieved 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.

Notable Work

- 184 Joralemon LLC v. Brooklyn Hts Candos, LLC, 117 A.D. 3d 699 (1st Dep't 2014)
- 184 Joralemon LLC v. Brooklyn Law School, 31 Misc.3d 1201(A) (Sup. Ct. Kings Co. 2011)
- Salnikova v. Cuomo and S&P Associates of New York, 2010 WL 4053102, 2010 N.Y. Slip op. 32791(U) (Sup. Ct. N.Y. Co. 2010)
- Ladies Mile v. Diamond, Sup. Ct. N.Y. Co. Index No. 111368/04



733 Third Avenue,
New York, NY 20017
www.rosenbergestis.com

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- Dolp 675 Properties II, LLC v. Barai 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)
- Flushing Expo, Inc. v. New World Mall, LLC, Sup. Ct., Queens Co., Index No. 28443/11

Honors & 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

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