

LITIGATION DEPARTMENT OF THE YEAR: REAL ESTATE



ROSENBERG & ESTIS P.C.

There isn't a single real estate matter that we aren't prepared to handle, and when an unprecedented circumstance arises, we are the first firm to come back with a solution.

Q&A **What are some of the department's most satisfying successes of the past year and why?**

Rosenberg & Estis has effectively broadened both our scope of services and our ability to meet the needs of our clients across expanded sectors. We have been able to fully integrate new personnel and skills to the benefit of skills. We represented Joe Germanotta, the father of Lady Gaga and the proprietor of ArtBird and Whiskey Bar in Grand Central Terminal in civil court. The firm secured an order restraining the MTA from seeking rent and fines.


Responses prepared by Luise A. Barrack, member and head of the firm's litigation department, Deborah E. Riegel and Jason R. Davidson, members with the firm's litigation department.

The firm successfully represented building owner Belnord Partners LLC in a dispute over whether the Housing Stability and Tenant Protection Act of 2019 can be applied retroactively to revive, or expand recovery on, a previously asserted rent overcharge claim. The New York State Court of Appeals ruled

that Part F of the HSTPA may not be applied retroactively, and instead, overcharge claims must be resolved under the law in effect at the time the overcharges occurred. The court definitively held that, under the prior law, an overcharge is calculated using the rent charged four years prior to the filing of a complaint, plus any legal increases applicable during the four-year lookback period, except in limited circumstances of fraud.

A prospective client in crisis calls and asks why your team should be retained. What is your answer? R&E is the largest real estate-only law firm in New York City. On top of our extensive bench of attorneys, we have a winning track record including many of the most famous, large-scale cases that have shaped the skyline for more than 45 years. We stop at nothing to make ourselves available to clients in need, and we solve the toughest problems swiftly and creatively, with tasks streamlined throughout our diverse team. There isn't a single real estate matter that we aren't prepared to handle, and when an unprecedented circumstance arises, we are the first firm to come back with a solution.

What traits do you respect most in opposing firms and lawyers? R&E has been a part of the NYC real estate legal community for more than 40 years. During that time we have seen our peers provide consistent professionalism that has advanced to meet the needs of the industry, as the NYC real estate market has become more complex and challenging. We often are on opposite sides of an issue with our



"NOW, IN THE MIDST OF A GLOBAL PANDEMIC, ROSENBERG & ESTIS IS ONCE AGAIN POISED AS THE TOP RESOURCE AND VOICE OF REASON FOR NEW YORK'S KEY REAL ESTATE PLAYERS. WHILE THE CITY BEARS THE UNPRECEDENTED BLOWS OF WIDESPREAD DISASTER, THE FIRM OFFERS WISDOM, CALM AND A PATH FORWARD. FROM DAY ONE, OUR ATTORNEYS HAVE BEEN IN CONSTANT CORRESPONDENCE WITH OUR CLIENTS AND CONTACTS, SHEDDING LIGHT ON THE IMPACTS OF COVID-19 ON LANDLORD/TENANT ISSUES, CONSTRUCTION LENDING ISSUES, COURT LING ISSUES, PROPERTY TAX QUESTIONS AND MORE. IT IS WITHOUT A DOUBT THAT OUR FIRM GOES ABOVE AND BEYOND FOR OUR CLIENTS."

peers, but competence and collegiality always define the process.

What is the firm doing to ensure that future generations of litigators are ready to take the helm? We have a strong bench of litigators, from our top members to our youngest associates. A major reason why our attorneys are able to tackle cases creatively and collaboratively is a result of our law clerk program. Several of our attorneys joined our team as law students and worked their way to associate, of counsel and even member-level positions. We challenge our associates every day so they are able to gain experience, strengthen their skills and take on leadership positions. Every day we are molding our younger attorneys to perform at a level of excellence that will enable them to "take the helm."