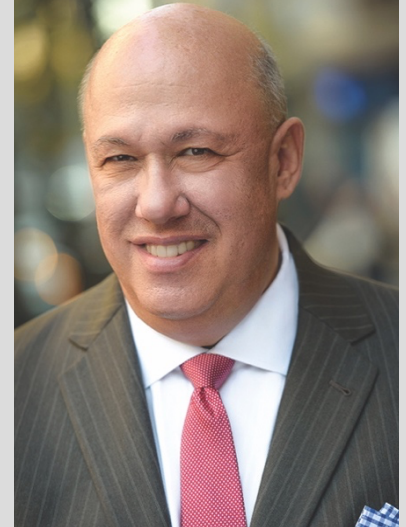




Mark Berman is a Partner in all of the firm's Litigation Practices, as well as in its Cooperatives and Condominiums, Professional Liability, and Employment Law Practices. He heads the Technology Counseling Practice and co-heads the Title Litigation Practice.

A well-rounded litigator and dynamic communicator, Mr. Berman represents both plaintiffs and defendants in commercial disputes, ediscovery conflicts, real estate, employment and securities litigation. Mr. Berman is a seasoned appellate attorney and has been a court appointed discovery master in a significant business litigation. His broad experience gives him a comprehensive perspective, which allows him to quickly assess the options, spot obstacles, develop creative solutions, and position clients for successful outcomes.

A substantial part of Mr. Berman's practice focuses on business, real estate and title litigation. He represents public and private companies, partnerships, lenders, real estate developers, property owners, condominiums, cooperatives and their sponsors, as well as individuals, in disputes related to breach of contract, fraud, breach of fiduciary duty, insurance, construction, licensing, and trespassing. He also resolves conflicts between shareholders, boards and managing agents. A leader in sophisticated title litigation, Mr. Berman represents title insurance companies, their insured owners and lenders, and agents.



Practice Areas

- Cooperatives and Condominiums
- Real Estate Litigation
- Business Litigation
- Title Litigation
- Professional Liability
- Technology Counseling
- Employment Law

Education

- Benjamin N. Cardozo School of Law (J.D., 1990), magna cum laude
Editor, Moot Court Board
Order of the Barrister
- Columbia College (A.B., 1986)



Representative Cases

- Represented iconic condominium in breach of contract and insurance dispute
- Represented a major hotel in a Yellowstone injunction dispute with its tenant
- Represented plaintiff concierge company in an antitrust litigation and before the United States Surface Transportation Board
- Defended company in a class action alleging violation of the Fair and Accurate Credit Transaction Act
- Represented insured property owners and lenders in complex title disputes
- Represented plaintiff beverage distributor against a multi-national drink manufacturer in a breach of contract arbitration
- Defended Fortune 500 company in a malicious prosecution litigation
- Represented plaintiff, a world-renown trademark owner, against infringers
- Represented condominium owners in disputes with their sponsor and architect in defective design and construction litigations
- Represented developer in an air rights dispute relating to a major New York City hotel
- Represented employees and employers in breach of contract actions
- Represented developers and building owners in licensing disputes relating to neighboring construction

Memberships

- Member, New York State Bar Association, Executive Committee "At Large" Representative, 2018-present
- Chair, New York State Bar Association, Committee on Technology and the Legal Profession, 2017-present
- Chair, New York State Bar Association, Commercial and Federal Litigation Section, 2016-2017
- Co-Chair, New York State Bar Association, Commercial and Federal Litigation Section, Commercial Division Committee, 2017-present
- Co-Chair, New York State Bar Association, Commercial and Federal Litigation Section, Social Media Committee, 2013-2016
- Board of Editors, New York State Bar Association Journal, 2016-present
- Fellow, The New York Bar Foundation, 2015-present
- Member, New York State Court System, Electronic Discovery Working Group, Education Subcommittee, 2010-present
- Member and former Secretary, New York State Bar Association, Commercial and Federal Litigation Section E-Discovery Committee, 2006-present
- Member, Federal Bar Council, Second Circuit Courts Committee, 2008-present
- Member, New York American Inn of Court, 2012-present.