

# David Lackowitz

Partner

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David Lackowitz is a Partner in the Litigation practice group. A highly sought-after and well-regarded trial attorney with substantial experience in high-stakes, complex commercial litigation, David has successfully handled matters in various state and federal courts throughout the country, including New York, Delaware, Connecticut, New Jersey, California, Florida, and Arkansas. David's experience includes real estate, finance/banking, corporate divorce, professional liability, business, construction, and shareholder matters.

David's unique criminal, civil, and regulatory experiences have guided his steadfast and efficient approach to prosecuting and defending business litigations of all stripes over the past twenty-five years. David provides the best business advice with his clients' interests in mind, helping them avoid litigation when possible and achieving optimal results in the courtroom and investigations when matters are pursued.

He has counseled clients through a host of regulatory investigations, including those brought by the SEC and FINRA. David has successfully handled numerous appeals before the First and Second Departments of the Appellate Division and before the Second Circuit, and has successfully tried cases in myriad courts throughout the Country, including numerous trials before the Supreme Court of the State of New York and the Delaware Chancery Court. David also has extensive experience mediating corporate dissolutions across multiple industries.

David's professional career began as an Assistant District Attorney (ADA) with the Kings County District Attorney's Office. While serving the public as an ADA, David obtained convictions following numerous bench and jury trials, including high-profile homicides. After leaving the District Attorney's Office, David was tasked with guiding the Archdiocese of New York as it navigated various criminal and civil investigations relating to the alleged abuse of children by certain members of its clergy.

With an affinity for helping protect the rights of the disadvantaged, David has effectively pursued claims throughout the U.S. on behalf of disabled individuals, particularly veterans, who are discriminated against due to their reliance on service animals. He has served as a board member of The Tower of Hope, a not-for-profit that raises funds for training service dogs. David was a board member and General Counsel of KiDS of NYU, an organization dedicated to the improvement of the experience of children receiving medical care at NYU

## Related Services

- Securities & Financial Services Litigation
- Construction
- Employment
- Internal Investigations
- Litigation

Langone Medical Center.

David is rated by Martindale-Hubbell as AV Preeminent™ in his field and has annually been designated as a “Super Lawyer” from 2015-2025. David resides in Westchester County with his wife, their three children, and their Bernese Mountain dog.

## **Education**

- Fordham University School of Law (J.D.)
- Binghamton University (B.A.)

## **Bar Admissions**

- U.S. Court of Appeals for the Second Circuit
- New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York

## **Awards & Honors**

- Super Lawyers: 2015 - 2025

## **Representative Experience**

In addition to providing his clients with “day-to-day” business counseling and risk avoidance strategies, successful representative matters include:

- Lead trial counsel on behalf certain foreign-based lenders in connection with a real estate project in New York City;
- Lead trial counsel on behalf of an investor in a start-up in connection with fiduciary breach and fraud claims (which also resulted in a \$2.5m fee award);
- Lead hearing counsel in connection with numerous AAA construction arbitrations on behalf of a preeminent NYC-based builder;
- Representation of a financial institution in connection with the enforceability of a letter of credit;
- Representation of numerous accounting firms accused of financial misconduct;
- Prosecution of numerous civil police misconduct matters;
- Representation of a "finder" in connection with a multi-million dollar dispute against a hedge fund over unpaid commissions;
- Representation of an investment fund in connection with a dispute brought against it by certain of its lenders;
- Prosecution of various legal malpractice matters;
- Representation of numerous students accused of academic improprieties by various educational institutions;
- Representation of an Asian manufacturer in connection with a multi-million dollar claim against a U.S. vendor;
- Member of a trial team in connection with a five-hundred-million-dollar commercial

dispute in the Southern District;

- Sole trial counsel of a case of first impression concerning the interplay between a right of first refusal and a proposed IRC Section 1031 exchange;
- Representation at trial of a commercial tenant in a "high stakes" litigation against its landlord concerning control of the premises;
- Representation of a foreign investment advisor in connection with a multi-million-dollar fraud claim;
- Representation of aircraft leasing company in various suits concerning investor rights;
- Sole trial counsel at a multi-day contempt hearing commenced by the Banking Department of the State of Connecticut against a Connecticut broker-dealer;
- Defense of various arbitrations commenced by investors against broker-dealers;
- Prosecution of a high-profile Section 1983 retaliation claim against a local police chief and members of his police department;
- Representation of broker-dealer in its prosecution of a software malpractice suit;
- Representation of numerous veterans in connection with the prosecution of discrimination matters;
- Representation of an insured in a broker malpractice claim against its insurance broker;
- Representation of a globally-recognized investment banker in an employment-related matter adverse to his former employer;
- Defense of various SEC enforcement actions;
- Representation of employers and employees in various employment-related matters;
- Defense of multi-state custody dispute; and
- Representation of beneficiaries in numerous Surrogate's Court matters.