

Debra Bodian Bernstein

Partner

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Debra Bodian Bernstein is a partner in the Firm's Litigation Practice. With more than 30 years' experience, Debra advocates for clients across a wide range of industries and disputes.

Debra handles complex civil litigation from inception through trial and appeal, including disputes regarding contracts, partners and shareholders, commercial landlord-tenant, cooperatives and condominiums, title insurance claims, mortgage foreclosures and other real property matters, fraudulent transfers, art restitution, intellectual property, securities, probate, and defamation.

Debra also counsels clients on litigation avoidance, out-of-court settlement, and insurance coverage strategies and has vast experience in post-judgment collection proceedings.

Debra regularly appears in New York State courts, federal courts, and alternative dispute resolution forums, including the American Arbitration Association and JAMS.

Representative Matters:

- Represented prominent retail jeweler in an action against a luxury watch distributor based on breach of contract and tortious interference with business relations.
- Represented the majority owner of an established wholesaler of women's apparel in a shareholder dispute with the estate of the deceased minority owner.
- Represented heirs in actions to recover artworks lost during the Nazi period.
- Represented lenders and borrowers in actions on promissory notes and guarantees.
- Represented a national bank in an action based on a sweeping mortgage fraud scheme.
- Represented real property owners and mortgage lenders in defense of title insurance claims.
- Represented commercial landlords and tenants in significant lease disputes, including Yellowstone injunctions, nonpayment and holdover proceedings, ejectment, quiet enjoyment, constructive eviction, and force majeure issues, and in lease negotiations and litigation avoidance.

Related Services

- Litigation
- Landlord & Tenant
- Real Estate Workouts, Restructuring, & Foreclosures
- Real Estate Litigation
- Art Law

- Represented bankruptcy trustees in adversary proceedings based on fraudulent transfers and preferences.
- Represented a regional high-end candy store in a trade dress infringement action by a national retail candy chain.
- Represented a well-known financial advisor in an action against a competitor based on trademark infringement, unfair competition and defamation.
- Represented lenders and condominiums in mortgage and condominium lien foreclosure proceedings.
- Represented an administrator and beneficiary of an estate in litigation involving the estate and the co-administrator.
- Represented the chef and majority owner of an established New York City restaurant in litigation with minority owners.
- Represented a real estate developer in litigation with investors.

Education

- State University of New York at Binghamton (B.S.)
- University of Pennsylvania Law School (J.D.)

Bar Admissions

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

Professional Affiliations

- New York City Bar Association
 - Real Property Law Committee
- New York State Bar Association

Beyond The Law

- Debra has been actively involved with the New York City Bar Association, where she has served on several committees, moderated programs, and participated in the Monday Night LAW program, providing legal advice to the community. Debra currently serves on the City Bar's Real Property Law Committee.
- Debra serves on the Steering Committee of the Harpur Law Council of Binghamton University, where she works closely with the Dean of Harpur College of Arts and Sciences and the pre-law advisor at Binghamton University, and other Binghamton staff and alumni. Key priorities of the Law Council include sponsoring summer internships, mentoring and providing programs for undergraduates at Binghamton University who are interested in a career in law and holding networking events for students and law alumni.

Insights

April 4, 2023

New York City's "Guaranty Law" is Held to be Unconstitutional and Unenforceable

November 3, 2021

The Constitutionality of New York City's "Guaranty Law" Remains in Question After Decision by the Second Circuit

January 27, 2021

Law Brief®: Debra Bodian Bernstein and Richard Schoenstein Discuss Commercial Lease Defaults During COVID-19

December 21, 2020

Our Top 10 Legal Alerts from 2020

December 3, 2020

Federal Court Upholds New York City's Recently Enacted "Guaranty Law" and Related Legislation Concerning Non-Payment of Rent Arising out of COVID-19

April 17, 2020

New York Replaces its Fraudulent Conveyance Law with the Uniform Voidable Transactions Act

January 15, 2020

Our Top 10 Legal Alerts from 2019

June 3, 2019

Tarter Krinsky & Drogin's Top 10 Legal Alerts from the First Half of 2019

May 13, 2019

Commercial Tenancy Contract Disputes: The New York Court of Appeals Curtails the Ability of Commercial Tenants to Seek a Yellowstone Injunction

June 20, 2018

Debra Bodian Bernstein Elected to Board of Historic Congregation

December 1, 2007

In Some Cases, The Real Battle is Enforcing, Rather than Obtaining, the Judgment