
Steven Reisberg

PARTNER

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CHAFFETZ LINDSEY LLP

Steven Reisberg has been helping clients for more than 30 years to resolve complicated business disputes. Steven is a highly skilled trial lawyer, representing clients as both plaintiffs and defendants in complex commercial litigation, arbitrations, and intellectual property disputes. He has represented companies and individuals in cases before U.S. federal district, appellate and bankruptcy courts, state courts, national and international arbitration tribunals, and administrative agencies, including the ITC and the SEC.

Steven serves as an arbitrator in both international and domestic cases. He has served as a member of the Arbitration Committee and the International Commercial Disputes Committee of the Association of the Bar of the City of New York, is a member of the International Arbitration Club of New York, the New York International Arbitration Center, and is a Fellow, Chartered Institute of Arbitrators.

Trials

- Counsel to Rosebud Energy Corp. (“Rosebud”), as the general partner of Colstrip Energy Limited Partnership, which owns and operates a coal fired electrical generation plant, in an arbitration involving disputes with limited partners. Arbitration award issued substantially in favor of Rosebud, including award of costs and attorney’s fees.
- Counsel to Display Technologies, LLC, as the patent owner in an arbitration involving a dispute under a patent licensing agreement. Arbitration award in favor of Display Technologies, LLC.
- Counsel to U.S. Philips Corp. as the plaintiff alleging infringement of a patent governing high pressure mercury vapor discharge lamps. Judgment entered for \$61 million after jury trial.
- Counsel to Barr Pharmaceuticals, Inc. (“Barr”) in an action challenging the validity of a pharmaceutical patent. Barr’s claims of invalidity denied after bench trial.
- Counsel to Unilin Beeher B.V. (“Unilin”) as the Complainant in a proceeding before the International Trade Commission alleging infringement of three patents related to mechanical locking laminated floor panels. Decision in favor of Unilin after bench trial.
- Counsel to Loral Space & Communications, Ltd. in an ICC arbitration seeking termination of an international joint venture. Arbitration Award issued terminating the joint venture.
- Represented PMI Investments, Inc. (“PMI”) in seeking recovery of \$30 million in a real estate dispute. Judgment entered in favor of PMI following bench trial.
- Counsel to Starwood Corp. as the respondent in a dispute concerning a “golden-parachute” employment agreement following a corporate acquisition. Arbitration award issued in favor of claimant.
- Counsel to founding shareholder in a successful proxy contest seeking a change of control of the company. Decision issued confirming election of new Board of Directors following bench trial.
- Counsel to textile manufacturing company defending against claims of age discrimination. Split judgment entered after jury trial.

Education:

- New York University School of Law, J.D., 1981 (*Order of the Coif*; Senior Articles Editor, *New York University Law Review*).
- Columbia University, M.A., 1978.
- Boston University, B.A., 1976 (*Phi Beta Kappa*).

Recent Speaking Engagements:

- *Smarter Ways to Educate Your Court in Complex Cases*, IBA Annual Conference (Vienna, Austria, October 2015).
- *How Technology Can Help Control Litigation Costs*, Global Litigation Conference and Exhibition (New York, October 2014).
- *Why Purchase Price Adjustment Clauses Fail and How To Fix Them*, New York City Bar (New York, January 2014).
- *The Arbitration Of Patent Disputes*, Conference on International Arbitration and Mediation, Fordham Law School (New York, April 2013).

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Other Representative Matters

- Represented GfK US, LLC in an action asserting claims for unfair competition, tortious interference with contract and theft of trade secrets.
- Represented Brazilian bank in action to recognize and enforce foreign judgment.
- Represented owner of aircraft leasing company in defending claims for alter ego liability seeking damages in excess of \$140 million. All claims dismissed on motion for summary judgment.
- Represented hedge fund in action asserting claims for violations of RICO and business torts seeking \$6 billion in damages. All claims dismissed on motion for summary judgment.
- Represented investors in Cayman Island Limited Partnership in dispute with managing partner involving investment of over \$100 million. Decision issued in favor of the investors dismissing the complaint and denying motion to compel arbitration and enjoining a wind-up proceeding pending in Cayman Islands.
- Represented private equity firms in cases asserting claims for purchase price adjustments, breach of contract, breach of representations, or fraud in connection with the purchase or sale of portfolio companies.
- Represented Loral Space & Communication, Ltd. in arbitrations involving disputes under contracts for the construction and operation of communication satellites.
- Represented Unilin Beeher B.V. in actions for patent infringement concerning several patents related to mechanical locking floor panels, including proceedings in federal courts in Delaware, Florida, Georgia, and Wisconsin.
- Represented Europ@Web B.V. in an action with respect to enforcement of a letter of intent for a proposed acquisition.
- Represented Altos Hornos de Mexico, S.A. in actions to enforce loans in the U.S. during pendency of reorganization proceedings in Mexico. Motions to dismiss granted on the basis of international comity.
- Represented Chanel, Inc. in an international arbitration involving disputes under a joint venture agreement.
- Represented policy holders, insurance companies and insurance brokers in insurance coverage disputes.
- Represented companies, directors and shareholders in connection with litigation related to corporate acquisitions.
- Represented companies and individuals in connection with internal investigations relating to accounting and financial reporting practices and SEC or DOJ investigations.

Press/Publications

- “*What Is Expert Determination? The Secret Alternative to Arbitration,*” New York Law Journal (December 13, 2013).
- “*Purchase Price Adjustment Clauses and Expert Determinations: Legal Issues, Practical Problems and Suggested Improvements,*” Report by the Committee on International Commercial Disputes of the New York City Bar (June 2013) (Chair of Subcommittee and principal author).
- “*An Arbitrator’s Authority To Award Interest On An Award Until Date of Payment,*” 16 International Arbitration Law Review 25 (2013).
- “*New York Court Upholds Pre-Award Attachment Of New York Based Asset To Help Assure Collection of Future Judgment In International Arbitration,*” 14 International Arbitration Law Review (2011).
- “*Objections to the Jurisdiction of the Arbitration Tribunal Under the U.S. Federal Arbitration Act: How To Preserve the Right To Judicial Review,*” 13 International Arbitration Law Review 148 (2010).
- “*First Department Decision Raises Drafting Issue for Arbitration Clauses,*” New York Law Journal (August 24, 2010).
- “*The Rules Governing Who Decides Jurisdictional Issues – First Options v. Kaplan Revisited,*” 20 American Review of International Arbitration 159 (2010).