BOND SCHOENECK & KING ATTORNEYS

Curtis A. Johnson

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Profile

Curt's clients value his experience in large-scale, multi-party litigation as they navigate protracted disputes. The focus of Curt's litigation practice is the representation of publicly traded companies, financial institutions, universities, as well as closely-held businesses.

His work for these entities includes:

- corporate fiduciary liability
- lender liability
- contract disputes
- corporate ownership and control disputes
- real estate disputes
- construction and lien law disputes
- government investigations

Curt also has experience litigating the inter-family disputes of high-net worth individuals arising in the context of guardianship proceedings, will and gift contests and estate litigation.

As a practitioner concentrating on complex corporate litigation, two of his notable cases include representation of a large commercial and investment bank in *Adelphia Recovery Trust v. Bank of America, N.A., et al.* and representing one of two ownership groups in *Ferolito v. Vultaggio* in their dispute over control of AriZona Iced Tea. In addition, Curtis has successfully represented parties in disputes arising out of construction work, including general- and sub-contractors in pay disputes, defense of a regional bank against claims of lien law diversion, prosecution of breach of fiduciary duty claims, prosecution and defense of Lanham Act false advertising claims, defense of Fair Debt Collection Practices Act claims, and assistance with regulatory compliance including compliance with data privacy and breach notification statutes.

Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Commerical Litigation, 2024-2026
  - *New York Super Lawyers®,* Business Litigation, 2023-2025

Education

- Albany Law School (J.D., *magna cum laude,* 2007)
- State University of New York at Albany (B.A. 2004)

Bar/Court Admissions

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

Practices

- Litigation
- Cybersecurity and Data Privacy
- Class and Collective Action Litigation

    - Rising Star, Business Litigation, 2018-2022
  - Forty Under 40, *Rochester Business Journal*, 2018
- Albany Law School National Alumni Association Board, 2023
- New York State Bar Association, Outstanding Young Lawyer Award, 2017
- Monroe County Bar Association, Emerging Bar Leader Award, 2016
- *The Daily Record*, Excellence in Law, Up & Coming Attorneys Award, 2016
- New York State Bar Association, Commercial and Federal Litigation Section
- Monroe County Bar Association, Awards Committee; Former Member of Board of Trustees and Executive Committee; Past Chair, Young Lawyers Section
- Senior Editor, *Albany Law Review*

Representative Publications

- "Appellate Division Holds That Mandatory Section 8 Participation Law Violates Fourth Amendment," *New York Real Estate Law Reporter*, May 31, 2026
- "Setting the Stage for High Court BofA Escrow Interest Case," *Law360,* Feb. 26, 2024
- "Understanding the Pitfalls of Shareholders' Agreements," *Rochester Business Journal,* March 6, 2020
- "State's SHIELD Act in Effect to Regulate Cybersecurity Protections," *Rochester Business Journal*, October 25, 2019
- "Strife in Business Partnership Sometime Necessitates a Dissolution," *Rochester Business Journal*, December 5, 2018
- “Telling War Stories: Just Because it’s on PACER Doesn't Make it Fair Game,” *The Daily Record*, October 2, 2017
- Quoted in “Foundations Face Costs with New N.Y. Rules,” *Rochester Business Journal*, February 3, 2017
- Quoted in “New Cybersecurity Regulations Need Clarification,” *Rochester Business Journal*, November 11, 2016
- "What the Email Privacy Act Means for Firms," *Rochester Business Journal*, June 3, 2016
- "State, U.S. Courts Aim to Reduce Costs of Litigation," *Rochester Business Journal*, October 16, 2015
- "Litigators Beware: Your Email Might Serve as a Binding Settlement Stipulation," *NY Daily Record*, August 11, 2013

Representative Presentations

- My Firm Got Hacked and Taken Hostage: The Anatomy Cyberhacking, Rochester, New York, 2017
- Risk Management, Buffalo, New York; Rochester, New York, 2017
- Conflicts of Interest – Frequent Issues Faced by the Defense, New York, New York, 2016
- The Dos and Don'ts of Debt Collection – FDCPA, TCPA and NY DFS, Rochester, New York, 2016

Representative Matters

- DSS v. Ronaldi: Resolved protracted executive compensation dispute pending in two courts
- Whiting v. American Material Processing: Extricated former president and founder from company by seeking dissolution
- Rochester Precision Optics v. Salvo Technologies: Favorably, resolved manufacturing dispute on eve of trial
- Express Gold Cash v. Beyond79, LLC and Express Gold Cash v. CJ Environmental: Dismantled false advertising claims by litigious industry participant against two separate competitors and obtained favorable settlements
- Fiduciary Duties: Represented defendants alleged to have breached fiduciary duties to company, including allegations of self-dealing
- Bankruptcy: Guided debtor through Chapter 11 (Subchapter V) bankruptcy and resolved dispute with former CEO and primary creditor
- Corporate Counsel: Advised startup on issues surrounding by-law compliance and efforts by minority shareholder to take control of company
- Shareholder Agreement Negotiations: Advised minority shareholder of closely held company on terms of shareholder's agreement
- Fiduciary Duties: Represented plaintiff claiming that fellow board members breached fiduciary duties to company
- Manufacturing Dispute: Procured payment in full (nearly $600,000) for materials purchased by manufacturer after customer defaulted on purchase order without litigation
- Creditor's Rights: Advised regional bank on pursuit of claims against debtor in Chapter 11 and pressed for dismissal of case without substantial cost to client
- Debt Workout: Obtained sale of local hotel by obtaining concessions from creditors necessary to provide clean title to buyer
- Construction Litigation: Advised property owner in matter involving failed construction, pitting contractor against architect
- Construction Litigation: Resolved mechanic's liens on behalf of property owners and contractors
- Fiduciary Duties: Represented beneficiaries of an estate against executor who mismanaged investments and breached prudent investor act duties

Other Activities

- Villa of Hope, Board Member
- Causewave Community Partners, Former Board Member