



## Curtis A. Johnson

### Member

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### Profile

### Honors & Affiliations

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

- "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

### 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

- "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