

BOND

LITIGATION

Bond, Schoeneck & King's stellar reputation is based in part on by the success of its litigation practice. Our litigation attorneys are also experienced and skilled in alternative dispute resolution, counseling, and settlement, and recognize that these approaches often are desirable and in our clients' best interests.

Areas of our trial practice include:

Business Ownership and Control Litigation and Securities Law. We represent financial institutions, business enterprises and individuals in federal securities litigation; business dissolution proceedings; corporate derivative suits; director liability claims; shareholder rights actions; and similar specialized litigation involving ownership, control and management of corporations, partnerships and other business enterprises.

Civil Rights Litigation. We have successfully defended school districts and higher education institutions, municipalities, corporations and their officers and employees against claims arising under federal and state civil rights statutes, including Title IX (gender equity), Title VII, 42 U.S.C. § 1981, 1983 and 1985, and the New York Executive Law.

Commercial Law and Antitrust. Our attorneys have extensive experience in handling commercial litigation and antitrust disputes in both federal and state courts, including breach of contract matters; ERISA; unfair competition; antitrust and trade secret matters; Federal Debt Collection Practices Act; distributorship disputes; and corporate and partnership dissolutions. Because of the firm's size and resources we are able to respond promptly, whether affirmatively or defensively, to the demands for preliminary court actions that frequently are asserted in these matters, such as temporary restraining orders, preliminary injunctions and other ex parte requests.

Construction Law. We represent owners, general contractors and subcontractors with respect to all types of construction litigation claims. These matters include pursuing and defending breach of contract claims, extra work claims and delay claims, as well as negligence claims in the design and construction of projects.

Employment Litigation. Our attorneys, along with the firm's labor and employment attorneys, have extensive experience in employment-related litigation.

Environmental. We have experience in a wide range of environmental litigation, including actions under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and state law for the recovery of response costs at contaminated sites; actions under the state Navigation Law for damages and expenses arising from petroleum discharges; Clean Water Act and Clean Air Act enforcement actions; public nuisance actions; and proceedings arising under the State Environmental Quality Review Act (SEQRA). In addition, we have also responded to investigations of alleged criminal violations of environmental laws and have defended both individuals and companies charged with environmental crimes. Other areas in which our attorneys have significant experience include the defense of toxic tort actions and representation of policyholders seeking insurance coverage for environmental liabilities.

About Bond, Schoeneck & King

Bond, Schoeneck & King PLLC serves individuals, companies and public-sector entities in a broad range of areas.

With 250 lawyers and 13 offices, we represent clients in manufacturing; agribusiness; commercial lending and real estate and construction; energy; health care and long term care as well as municipalities, school districts, higher education and other exempt and nonprofit organizations. We maintain nine offices across New York; and one each in Boston; Kansas City; Naples, Florida and Red Bank, New Jersey.

Bond is committed to understanding our clients' needs and providing comprehensive, practical, high-quality and responsive solutions. We strive to maintain the highest professional and ethical standards, and to provide leadership in community activities, pro-bono work and service to the Bar.

For more information, visit bsk.com.

Health and Medical Litigation. Our litigation attorneys have extensive experience in representing health maintenance organizations; hospitals; nursing homes; physicians; professional corporations; and other health care organizations and professionals. We provide services in credentials disputes; guardianships; health insurance suits; malpractice claims; Medicaid and Medicare fraud and reimbursement matters; Health Care Quality Improvement Act and physician databank matters; privileges disputes; professional discipline and misconduct proceedings; professional shareholder and director disputes; and other regulatory disputes with local, federal and state agencies.

Insurance Defense. The litigation department defends a wide variety of cases on behalf of insurance carriers. Our attorneys also defend commercial liability claims with an emphasis on construction site accident claims. Frequently we represent insurance carriers on first party claims and coverage matters.

Intellectual Property. The law of intellectual property is a vital component in domestic and international commercial transactions and is a focal point of our practice, particularly since our firm represents a number of world-recognized academic institutions and manufacturers of high technology products. As a result, our trial attorneys have significant experience in litigating various intellectual property disputes—from both the plaintiff and defense perspectives—including patent disputes, trade dress claims, copyright and trademark registration matters and infringements.

Media and Communications Law. We focus on the First Amendment and State Constitutional issues that are of concern to newspapers, broadcast media, magazines, news services and various other organizations that disseminate information. We represent our clients in the defense of defamation and privacy-related actions, the vetting of feature articles and news stories and with responses to subpoenas, often based on Shield Law protection and First Amendment privileges. Frequently our attorneys enable clients to obtain access to information, through the Freedom of Information Act and Open Meeting Law.

Plaintiffs' Personal Injury Practice. Our attorneys have extensive experience representing injured parties due to someone else's negligence. Our attorneys have tried many plaintiffs' cases to successful jury verdict, but also, where appropriate, have advanced our clients' best interests through settlement, mediation or arbitration. The practice is expansive and involves many different types of cases and

accidents, including automobile, motorcycle, construction site, falls from ladders or scaffolds, wrongful death claims, defective and unsafe products, medical malpractice and assault and battery.

Product Liability. The firm represents both plaintiffs and defendant-manufacturers in state and federal courts. Our lawyers have a wide range of product liability experience with both consumer products and industrial equipment. We currently represent a variety of manufacturers throughout the Northeast. These companies include manufacturers of elevators, escalators, cranes, man-lifts, boom trucks, screening machines, nail guns, motors and other industrial equipment.

Professional Malpractice Defense. Our attorneys have significant experience in defending professionals such as attorneys, accountants, engineers, insurance agents, investment and real estate brokers and appraisers against malpractice claims. We also address credentialing, licensing and misconduct issues for all types of professionals. We are very used to working with experts for the purpose of reviewing professional files and formulating defense strategies.

Bond's litigation attorneys regularly appear in both state and federal courts to represent clients at hearings, motions, trials and appeals in a variety of controversies. Our attorneys are experienced in virtually all legal areas, including commercial, antitrust, personal injury, insurance, workers' compensation, construction, civil rights, employment discrimination, white collar criminal defense and financial matters. We represent both plaintiffs and defendants and conduct most of the litigation generated by other departments within the firm. Our clients include Fortune 500 companies, as well as individuals, liability insurance companies and many of the most prominent industrial, banking, and commercial corporations in New York.

Contacts:

Stephen A. Sharkey
716.416.7051
ssharky@bsk.com

Suzanne M. Messer
315.218.8628
smesser@bsk.com

