



CBM&S

Litigation

**Capell Barnett
Matalon & Schoenfeld** LLP
ATTORNEYS AT LAW

Collaborative. Innovative. Effective.



Attorney Advertising

Capell Barnett Matalon & Schoenfeld
has assembled a powerful team of
litigators committed to representing
each client's unique interests across a
host of industries, including the
for-profit and not-for-profit sectors.

CBM&S

Our experienced, client-responsive attorneys and support staff effectively and successfully represent a global roster of clients facing sophisticated and demanding legal challenges.

Unconstrained by big firm logistics, our litigation group assembles nimble, focused teams to quickly address and resolve matters for our clients in an efficient and cost-effective manner, applying an exacting standard of excellence to everything we do.

Who are our clients?

You. Your family. Your business. Your not-for-profit institution or religious organization. When you need legal counsel and representation personally or professionally, **Capell Barnett Matalon & Schoenfeld's** legal team stands by your side, delivering real-world, professional guidance.

Capell Barnett Matalon & Schoenfeld's litigators are experienced trial lawyers who understand that when it comes to negotiating and litigating, the best outcome is the one that serves the unique needs of our clients, whether it be:



Commercial contracts and claims;



Business disputes, corporate governance, and shareholder controversies;



Real property and leasing disputes of all sorts, including commercial and complex residential landlord/tenant matters, rent regulation, and real estate development issues;



Religious, not-for-profit, and other tax-exempt organization controversies, including corporate and ecclesiastic governance, as well as crisis management;



Trusts and estates litigation;



Labor, employment, and ADA disputes, construction contract litigation; and



Constitutional law, particularly the Establishment Clause of the First Amendment, and select criminal defense matters.



— Clients rely on our litigation professionals to represent them in the following areas:

Corporate/Commercial Litigation

Capell Barnett Matalon & Schoenfeld's corporate and commercial lawyers are well-positioned to help you draft, negotiate, review, and litigate all business-related legal documents and disputes.

This includes service contracts, leases, partnership and shareholder agreements, stock sale or asset purchase agreements, operating agreements, and any other documents that move your mission and business forward.

Involvement in your business's ongoing operations means that should disputes arise, our litigators are often able to pre-empt potentially adversarial situations. When matters require litigation, we are well positioned to leverage the law to promote your interests before the appropriate forums, including state and federal courts, arbitration, and mediation.

Real Estate/Construction/Land Use Litigation

Capell Barnett Matalon & Schoenfeld represents institutional owners and shareholders in matters ranging from commonplace disputes to complex construction and large-scale commercial and residential development projects.

Our team of real estate lawyers provides comprehensive legal representation in all facets of real estate transactions, including the acquisition, leasing, refinancing, and sale of commercial and residential properties, development, construction, and land use. We negotiate and draft contracts and other documents with a focus on identifying and resolving issues before they become problems.

Should a dispute arise, our litigators are skilled advocates with a track record of successful outcomes.

Employment Litigation

As employers and employees adapt to a host of new workplace structures and an ever-changing regulatory environment, they rely on Capell Barnett Matalon & Schoenfeld's employment lawyers to pre-empt adversarial situations. When matters require litigation, we represent each client's interests in state and federal courts, arbitration, as well as in mediation.

Our litigators have broad experience representing businesses and individuals in employment disputes, including:

- Hostile workplace or other employment discrimination defense or prosecution related to race, age, sex, gender, disability, pregnancy, religion, national origin, or other wrongful termination;
- Whistleblower/False Claims Act and retaliation defense and prosecution;
- Fair Labor Standards Act (FLSA) and Family Medical Leave Act (FMLA) claims;
- Wage and commission disputes, including overtime payments and severance benefits; and
- Breach of employment agreements.

Trusts & Estates Litigation

Planning for the future matters.

Ideally, sound financial planning, wealth preservation, and the financial well-being of one's heirs would begin from the moment you leave your childhood home as an adult, and continue at each stage of life as one launches a career, finds a life partner, starts a family, buys a home, dissolves a marriage, remarries, safeguards the financial security of a minor

or special-needs children, or makes long-term plans for retirement and the preservation and ultimate distribution of their estate.

The death of a family member or loved one is a stressful time for surviving friends and family. Proper estate planning can help mitigate potential complications and depletion of assets during the estate administration process.

When relationships do break down over estate conflicts, our estate litigation attorneys carefully guide clients through probate and dispute resolution, whether they are individual beneficiaries, executors, or administrators.

Religious/Not-For-Profit/Tax-Exempt Organization Litigation

Capell Barnett Matalon & Schoenfeld's litigation practice has a long history of successfully representing not-for-profits, religious, and other tax-exempt organizations in cases involving:

- Internal and external controversies;
- Corporate ecclesiastic governance;
- Constitutional disputes involving the Free Exercise & Establishment clauses of the First Amendment;
- Secular disputes;
- Corporate and commercial litigation; and
- Commercial leasing and landlord/tenant litigation.

Not-for-profits, including religious organizations, rely on our litigators to leverage appropriate litigation strategies and further each client's interests – in the courtroom and through proactive settlement negotiations.



The right law firm matters

Recognizing the need to serve clients through all phases of an engagement, Capell Barnett Matalon & Schoenfeld has made an investment in its people, selecting professionals with outstanding talents and legal skills who are experienced across a broad spectrum of practice areas.

Our clients clearly appreciate that the professionals who work on their matters and get to know their preferences will continue to serve their needs in the future. We maintain a firm culture which promotes employee loyalty. That, in turn, benefits our clients.

Knowing that you have the right people in your corner is paramount. Our entire team is always at your disposal.

Practice Areas



LITIGATION



**NOT-FOR-PROFIT &
RELIGIOUS CORPORATIONS**



REAL ESTATE



EMPLOYMENT LAW



LANDLORD/TENANT



**CORPORATE & COMMERCIAL
TRANSACTIONS**



CONSTRUCTION LAW



LAND USE & ZONING



WILLS & TRUSTS



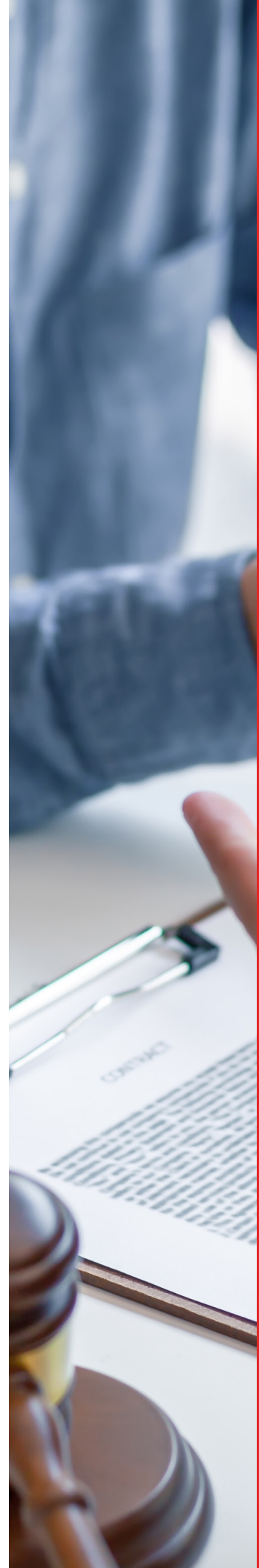
**TAXATION & TAX
CONTROVERSY**



**ELDER LAW & MEDICAID
PLANNING**



**ESTATE PLANNING &
ADMINISTRATION**



Capell Barnett Matalon & Schoenfeld's Litigation Team

Peter Sanders, Esq. Partner

Peter Sanders manages the Litigation Practice Group, which has extensive experience litigating before state and federal trial and appellate courts in New York and California. Peter's team handles a wide range of litigation, including commercial contracts and claims, corporate governance, shareholder rights, religious organizations and other not-for-profit controversies, ecclesiastical First Amendment constitutional issues and their justiciability and interplay with secular courts, real property disputes of all sorts, commercial leasing and complex residential landlord-tenant matters, trusts and estates litigation, labor and employment disputes, and select criminal defense matters. The litigation team strategically advocates for our clients, leveraging their skills and experience to achieve successful resolutions, whether they be through trial or a pragmatic settlement.

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Joseph Milano, Esq. Partner

Joseph Milano is a Partner in the firm's Litigation practice area. As a former Special Assistant to the New York State Attorney General, he has been successfully representing clients facing complex legal issues in federal and New York State trial and appellate courts and administrative tribunals for over 30 years.

Joe has efficiently and effectively litigated on behalf of clients in the areas of commercial and estate matters and church governance, where he continues to make significant contributions to the development of the law relating to church governance in New York and in advising clients on strategies to avoid litigation. This includes successfully litigating First Amendment, governance, discipline, property, and justiciability issues for a host of denominations, including Lutheran, Presbyterian, Roman Catholic, Muslim, and Buddhist.

Additionally, Joe counsels religious denominations and related organizations on crisis management strategies, including representing them in the performance of internal investigations related to allegations against them.

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Travis Tatko, Esq. Partner

Travis Tatko is a partner in the Litigation, Employment, and Corporate & Commercial Transaction practices. He has extensive experience guiding individual and business clients to successful outcomes in both day-to-day and complex corporate matters involving venture-backed startup companies, contracts and transactions, mergers and acquisitions, corporate governance, regulatory compliance, employment and intellectual property matters, and contractual, intra-corporate, and shareholder disputes.

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Damianos Markou, Esq. Counsel

Damianos Markou practices in the firm's trusts and estates group with a particular focus on litigation proceedings in the New York State Surrogate's Courts. He successfully represents individual and corporate clients in a variety of proceedings, including probate contests, contested accountings, discovery and reverse discovery, construction and right of election proceedings, guardianships, administration, and other miscellaneous Surrogate's Court proceedings.

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Associates and Para-Professionals:

Due to economy of space considerations, the rest of our attorneys and support staff cannot be individually recognized here. However, they are each exceptional team members whose contributions are invaluable to our firm's success and each client's experience.

We are unique because our clients are.

Our guidance reflects the particular long-term goals and institutional values of the individuals, businesses, not-for-profit organizations, and religious corporations we represent. Large or small, Capell Barnett Matalon & Schoenfeld's clients benefit from our unique experience, personalized service, local market knowledge and strategic individualized approach.

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