



Ted Poretz [1954 - 2023]

Partner

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Practices

- Litigation

Overview

Ted resolves complex commercial and civil litigation – contract disputes, employment issues, real estate matters, fraud, non-compete challenges, construction disputes, white collar defense, and more – for businesses and individuals.

Ted defends lawyers and law firms against professional malpractice lawsuits. He represents registered securities personnel facing regulatory defense actions initiated by the Securities and Exchange Commission, the Financial Industry Regulatory Authority, and the Commodities Futures Trading Commission. He leads internal investigations, litigates mechanics' liens, and resolves trust contests.

And Ted protects the interests of artists, collectors, and galleries in disputes and litigation over ownership, provenance, and potential forgery. In one recent case for an art collector who purchased 17 works allegedly painted by a major contemporary 20th century artist only to discover that the paintings were forged, Ted recovered the full purchase price of the art after a jury trial.

In another notable fraud case, Ted represented a National Hockey League team that was fraudulently purchased in the late 1990s, successfully arguing for the return of the team to its seller and the ultimate prosecution of the buyer.

Ted began his career as an Assistant District Attorney in Manhattan, where he presented hundreds of cases to the grand jury and tried more than 35 cases to verdict. Clients today appreciate the skills he learned in that role, like efficiently staffing matters, applying practical judgment, developing innovative solutions, prioritizing problems, and anticipating issues in the courtroom.

From 1998-2000, Ted worked on the Swiss Banks Holocaust Litigation, assisting Special Master Judah Gribetz to formulate a plan to distribute a \$1.25bb settlement fund among victims of Nazi persecution, including the holders of Swiss Bank accounts and persons who performed slave labor.

Ted is the recipient of the Key Award from Bailey House, which provides housing and supportive services for people living with HIV/AIDS and other chronic illness, to recognize his support and efforts helping the organization achieve its mission over nearly 25 years, including around 15 years spent as outside General

Counsel.

Representative Matters

- *John Galliano SA v. Stallion Inc.* 15 NY 3d 75 (2010). Successful representation of plaintiff from trial courts to NY State Court of Appeals interpreting service requirements under the Hague Convention.
- *Darnet Realty Associates v. 136 East 56th Street Owners, Inc.* 214 F. 3d 79 (2000). Successful representation of coop corporation from trial courts to US Court of Appeals for 2d Circuit interpreting key requirements of Cooperative and Condominium Abuse Prevention and Relief Act.
- *Qioptiq Ltd. v. Teledyne Scientific Imaging*. Successful representation of plaintiff on ownership of night vision glasses technology.
- *Malone v. Bayerische Hypo-und Vereinsbank, et al.* Successful representation through US Court of Appeals for 2d Circuit of a major law firm defendant accused of malpractice in connection with the sale of questioned tax shelter investments.
- *Salt Aire Trading v. Sidley and Austin et al.* Successful representation through Appellate Division of the Supreme Court for the First Department of a major law firm defendant accused of malpractice in connection with the sale of tax shelter investments.
- *In Re Middle Bay Golfer's Association*. Successful representation through trial of landlord seeking to terminate long-term lease to golf course and country club facilities.
- *Zucker v. Hirschl & Adler Galleries* 648 NYS 2d 521 (1st Dept 1996). Successful representation of plaintiff arising out of dispute between art gallery and former artist. First decision to interpret Arts & Cultural Affairs Law Section 12.01 (a) prohibiting gallery from refusing to release artist's consigned artworks after termination of relationship.
- *Sungard Business Systems LLC v. Innovest, Inc. et al.* Successful defense at trial in Pennsylvania state courts against application for injunction in connection with non-competition and theft of trade secrets claims.
- Successful defense before the Securities and Exchange Commission of chief anti-money laundering officer of major broker-dealer.

Admissions & Education

Education

- George Washington University School of Law, J.D., 1979
- Colgate University, B.A., with Honors, 1976

Bar and Court Admissions

- New York, 1980
- U.S. District Court, Southern and Eastern Districts of New York, 1980
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Supreme Court Bar, 2010

Recognition

Recipient, Key Award from Bailey House (AIDS housing and supportive services), for long-term service as outside General Counsel

Professional Affiliations

Committee on the Judiciary, Association of the Bar of the City of New York (2010 -2013) Member, Special Committee to evaluate candidacy of Justice Sheila Abdus-Salaam for elevation to New York State Court of Appeals Faculty, Trial Advocacy Program of the New York County District Attorney's Office Member, Board of Directors of Music on the Inside, Inc., a not-for-profit that provides one-on-one music instruction for incarcerated persons and persons in re-entry