



## Jeremy C. Bates

Counsel

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Phone: (646) 780-8103

### Education

- University of Chicago Law School (J.D., with honors, Editor in Chief of the University of Chicago Legal Forum)
- Harvard College (A.B. in Social Studies, cum laude)

### Bar Admissions

New York

### Court Admissions

US Supreme Court

US Court of Appeals, Sixth Circuit

US District Court, Southern District of New York

US District Court, Eastern District of New York

Jeremy acts as a lawyer's lawyer. He has defended many lawyers and law firms in professional-responsibility matters. He has represented lawyers and firms in alternative resolutions and pre-litigation dispositions of various disputes.

Jeremy is also an integral part of Elman Freiberg's sophisticated trusts-and-estates-litigation practice. He represents fiduciaries and beneficiaries, often before Surrogate's Courts, in probate, estate-administration, and trust-administration proceedings.

Jeremy additionally represents plaintiffs and defendants in a variety of other litigations.

Jeremy has served on the New York City Bar Association Committee on Professional Ethics. He often lectures on professional-responsibility issues.

Prior to joining Elman Freiberg, Jeremy worked at Matalon Shweky Elman PLLC and at Sullivan & Cromwell LLP. He also served as a legislative assistant to U.S. Senator Byron Dorgan and clerked for Judge Jacques L. Wiener, Jr., of the U.S. Court of Appeals for the Fifth Circuit.

### Selected Experience

- Secured the dismissal of malpractice claims against a national law firm in a decision that was a *New York Law Journal* "Decision of Note" because it clarified lawyers' duties in M&A transactions.
- Hailed as a *Law360* "Legal Lion" for helping convince the Commercial Division, New York County, to dismiss all five claims in a \$10 million action against a prominent commercial firm.
- Defended fiduciary and beneficiary in significant trust-and-estate dispute involving a family limited partnership and real-estate assets in New York and Florida.
- Defended various clients against Judiciary Law § 487 claims, most recently successfully arguing before the Appellate Division, First Department, that a \$36 million claim was properly dismissed.
- Successfully defended multinational technology firm against claims arising out of cross-border acquisition; wrote motion for sanctions that was granted by the Southern District of New York.
- Represented beneficiary of complex trust structure holding real-estate, family-business, and art assets in the United States and Europe.



## Jeremy C. Bates continued

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- Secured unanimous appellate reversal dismissing \$7.5-million counterclaim against global law firm.
- On behalf of an *AmLaw 100* partner, helped win a trial-level dismissal of defamation claims that arose out of a failed real-estate closing.
- Helped a law-firm client secure a dismissal that is now the leading case for the rule that Judiciary Law § 487 does not apply to administrative proceedings.
- Represented beneficiaries in estate with significant investment assets, real-estate holdings, and Renaissance art.
- Represented trustee and beneficiary in bitterly contested, intergenerational family dispute.
- Second-chaired a FINRA arbitration that resulted in a complete vindication for his clients.
- Obtained the dismissal of federal RICO, trademark, and computer-fraud claims.
- Acting *pro bono*, challenged a federal drug-reimbursement regulation and won substantial recovery for two Medicare Part D beneficiaries.

### Speaking Engagements and Presentations

- Instructor | The New York Law of Litigation Misconduct: What Is It and How Did We Get Here? | Lawline Course (November 11, 2019)
- Panelist | Ethical Dilemmas That Keep Lawyers Awake at Night | CLE Panel at the New York City Bar Association | New York, New York (February 6, 2018)
- Instructor | Litigating Attorney-Misconduct Claims Under New York's Judiciary Law §487 | Lawline Course (November 7, 2017)
- Panelist | Answers to Everyday Ethical Questions | CLE Panel at the New York City Bar Association | New York, New York (February 7, 2017)