



## Benjamin S. Litman

Counsel

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### Education

- Harvard Law School  
(J.D., *cum laude*, Editor-in-Chief of the Harvard International Law Journal)
- Yale University  
(B.A. in History, *magna cum laude* and with distinction)

### Bar Admissions

New York

### Court Admissions

US District Court, Southern District of New York

US Court of Appeals, Second Circuit

US Court of Appeals, Sixth Circuit

Benjamin is a versatile litigator with a wealth of experience both inside and outside of the courtroom. He has litigated civil and criminal matters in a wide variety of industries and practice areas, including legal malpractice, trusts and estates, accounting fraud, antitrust, class action, complex commercial litigation, contracts, employment, false advertising, intellectual property, internal investigation, mortgage fraud, product liability, structured finance, and white-collar crime. Benjamin represents both private clients and institutions in federal and state courts, on appeal, and in arbitration.

Prior to joining Elman Freiberg, Benjamin worked at Appellate Advocates, where he briefed and argued more than 40 appeals on behalf of indigent criminal defendants, and at Patterson Belknap Webb & Tyler LLP, where he spent nearly seven years and received a *Pro Bono Publico* award from the Legal Aid Society. He began his legal career as a law clerk to the Honorable Ronald Lee Gilman of the United States Court of Appeals for the Sixth Circuit. Benjamin recently argued a Fourth Amendment standing case in the New York Court of Appeals, New York's highest court.

### Selected Experience:

- Representing large, international law firms and their individual attorneys in defense of multi-million-dollar malpractice claims brought by clients and in connection with partnership disputes and attorney-departure issues.
- Representing fiduciaries and individuals in high-stakes litigation arising from contested estate-planning vehicles and their administration, including trusts, wills, and powers of attorney.
- Representing a technology company in breach-of-contract dispute pending in the United States Court of Appeals for the Second Circuit.
- Helped obtain a \$500-million settlement award on behalf of a major pharmaceutical company following a breach-of-contract arbitration hearing.
- Convinced a federal court to allow a client to obtain reimbursement of the full amount of its attorneys' fees following an eight-year accounting-fraud litigation.
- Represented several monoline-insurance companies against large banks in fraud and breach-of-contract actions arising out of the subprime-mortgage crisis.