



Yosef Rothstein

Counsel

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Education

- Columbia Law School (J.D., Harlan Fiske Stone Scholar and Editor-in-Chief of the Journal of Law and Social Problems)
- Yeshiva University (B.A., Economics)

Bar Admissions

New York

New Jersey

Court Admissions

US District Court, Southern District of New York

US District Court, Eastern District of New York

US District Court, District of New Jersey

Yosef focuses on commercial disputes, trust and estate litigation, business dissolution disputes, and defending legal malpractice claims. Yosef is an established courtroom advocate. He has extensive court-room experience before state and federal courts, and has been lead counsel on several trials in recent years.

Prior to Elman Freiberg, Yosef worked at Matalon Shweky Elman, and before that, at Debevoise & Plimpton, and O'Melveny & Myers, representing major financial institutions and insurance companies in high stakes litigations and internal investigations.

Selected Experience

- Representing a beneficiary in a breach of fiduciary duty claim against trustees for improperly distributing more than \$400 million in trust assets.
- Represented a large law firm in a malpractice case alleging various claims for failure to properly register a trademark for over a year, and then failing to disclose a competing trademark before the client launched its product in the marketplace. After significantly narrowing the issues through a motion to dismiss, the client was able to achieve a favorable settlement that included no admission of any wrongdoing.
- Represented a co-trustee in disputes against various creditors with claims totaling several millions of dollars. In one of those disputes, successfully defeated a creditor's claims for more than a million dollars
- Represented a law firm in a dispute with a former client concerning a settlement reached in the middle of a trial. After successfully outmaneuvering the law firm's former client during early motion practice on procedural grounds, the former client dismissed its claim against the firm.
- Representing a Charitable Foundation and an Estate in federal and state court in a breach of fiduciary duty claim against trustees for failing to properly exercise their discretion which resulted in loses of hundreds of millions of dollars.
- Represented a large commercial real estate company and its related special purpose entities in various business-to-business disputes, investor disputes, lender disputes, and landlord-tenant disputes.
- Represented an AmLaw 100 firm in a malpractice claim by a former client concerning a series of related cases filed on behalf of the former client in connection with various closely held family businesses. After discovery the former client abandoned its case.

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- In a pro-bono matter, successfully represented the wife of a 9/11 victim in Surrogate's Court and before the Worker's Compensation Board, in a case involving allegations of bigamy.
- Represented various Fortune 500 companies in internal investigations connected to investigations conducted by and subpoenas issued by the US Department of Justice, the SEC, and/or the New York Attorney General.