



Mioko C. Tajika
Counsel

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Education

- University of Wisconsin Law School, J.D.
- New York University, B.A. in Political Science

Bar Admissions

- New York
- Wisconsin (inactive)

Court Admissions

- US Court of Appeals, Second Circuit
- US Court of Appeals, Ninth Circuit
- US District Court, Southern District of New York
- US District Court, Eastern District of New York

Mioko is an experienced litigator representing individuals and entities in litigation, arbitration, and mediation involving a broad range of issues, including breach of contract, legal malpractice, breach of fiduciary duty claims, employment disputes, intellectual property disputes, and probate.

Mioko is committed to achieving cost-effective solutions where appropriate by settling disputes pre-litigation—but has the requisite skills and experience to handle cases from beginning to end, including trials and appeals. Mioko is also a native Japanese speaker and routinely provides counsel to Japanese individuals, Japanese companies, and US subsidiaries of Japanese companies in various legal matters both in and out of the courtroom, including serving in an outside general counsel role for a retail hospitality client.

Before joining Elman Freiberg, Mioko practiced for almost 19 years at an esteemed New York City commercial litigation boutique. Mioko is also a founding member of the Japanese American Lawyers Network.

Selected Experience

- Defended a top mid-sized law firm in a \$45 million legal malpractice claim and obtained a beneficial settlement.
- Successfully averted a motion for expedited hearing and obtained a stay of action in Delaware Chancery Court in an action filed by client’s lender.
- Obtained denial of preliminary injunction and dismissal of proceeding filed by a co-member of an LLC seeking judicial dissolution, among other claims.
- Defended building owner in suit brought by artists claiming protection under the Visual Artists Rights Act in a three-day preliminary injunction hearing and three-week federal jury trial.
- Obtained dismissal of claim for breach of loan commitment brought by developers against a bank after a three-week bench trial and won affirmance by the Second Department following oral argument.

Mioko C. Tajika continued



Selected Experience continued

- Won pre-answer motion to dismiss of employment-discrimination complaint against foreign parent of US subsidiary alleging single-employer doctrine.
- Obtained reversal of lower court's denial of summary judgment on behalf of judgment-creditor/landlord seeking recovery of escrow funds in interpleader action.
- Obtained reversal by Second Circuit Court of Appeals of lower court decision finding no breach of contract or trade secret misappropriation involving a dispute over an expired license agreement for bubble gum formula.
- Obtained denial of preliminary injunction filed by a defaulting co-op owner against lending bank.
- Won dismissal of 10b-5 securities fraud claim on a motion to dismiss on behalf of an investment manager.