



Richard A. Coppola

Partner

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Richard A. Coppola is a business and commercial litigator representing large and small businesses, financial institutions, not-for-profit corporations, religious corporations, colleges and universities, and individuals in virtually all aspects of federal and state court litigation, arbitration, mediation, and before federal agencies and regulatory bodies. He provides strategic representation during all stages of the litigation process, from pre-lawsuit settlement negotiations through trials and appeals.

Richard focuses his practice on matters relating to commercial real estate, breach of contract and business tort claims, issues involving the Uniform Commercial Code, restrictive covenant claims, and non-competition matters. He strategizes with forensic accountants, real estate and business appraisers, and other financial professionals to ensure that his clients' interests are protected.

Areas of Concentration:

- Defense of financial institutions relating to disputes involving Articles 4, 5, and 6 of the UCC
- Commercial and residential landlord-tenant disputes including seeking and opposing provisional relief and litigating holdover and licensor-licensee summary proceedings
- Accounting and breach of duty of loyalty actions on behalf of shareholders, members, and partners of closely-held and family-owned businesses.
- Defense of violations issued by New York State or New York City agencies relating to property, safety, fire and/or health issues
- Appellate Litigation
- Class Action Litigation
- Commercial Contracts Disputes
- Construction Contract Litigation
- Employment Litigation
- Intellectual Property Litigation

- Land Use Litigation

Practices

- Commercial Litigation
- Banking and Financial Services Litigation
- Appellate Litigation
- Commercial Contracts Disputes
- Civil Rights and Employment Litigation
- Real Estate and Land Use Litigation
- Commercial Foreclosures/ Total Debt Restructuring

Industries

- Construction
- Financial Institutions
- Higher Education
- Not-for-Profit and Religious Organizations
- Real Estate

Bar Admissions

- New Jersey
- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

Education

- J.D., Maurice A. Deane School of Law at Hofstra University, 2007
- B.A., Boston College, *cum laude*, 2004
- Chaminade High School

Representative Experience

- *The Jeanne d'Arc Residence v. Heirs of Catharine T. Smith*, Supreme Court, New York County (2022)
(obtained summary judgment in quiet title action proving that defendant and his ancestors failed to timely

file a declaration of intention to preserve certain restrictions on the use of land pursuant to NY RPL 345 and as a result right of reverter was extinguished).

- *Kamco Supply Corp. v. On the Right Track, LLC*, 149 A.D.3d 275 (2d Dep't 2017), leave to appeal dismissal 30 N.Y. 1036 (2017) (action by manufacturer of new product used in the construction industry against building supply companies for breach of contract to purchase minimum monthly and annual quantities for a two-year period; Appellate Division affirmed lower court's determination after 30-day bench trial that manufacturer had by its conduct prospectively waived the minimum quantities provisions of the contract).
- *JPMorgan Chase Bank, N.A. v. 340 Flatbush LLC and Abraham Leser*, Supreme Court, Kings County (2015) (breach of contract action to recover \$720,451.00 plus interest and attorneys' fees for failure to reimburse bank for payment of real estate taxes pending separation of tax lots by Department of Finance; bank awarded summary judgment for full amount sought).
- *Breidbart v. Weisenthal*, 136 A.D.3d 851 (2d Dep't 2016) leave to appeal den. 30 N.Y.3d 907 (2017) and 108 A.D.3d 492 (2d Dep't 2013) (in an action to compel partnership accountings and distributions, representatives of retired partners were held not entitled to share in gain on the sale of partnership real property after dissolution).
- *In Re Mount Manresa*, 134 A.D.3d 721 (2d Dep't 2015) (petition for Summary Court approval of sale of 15 acres of real property on Staten Island under Not-For-Profit Corporations Law opposed by community activists and politicians; sale held to be fair and reasonable and in furtherance of petitioner's purpose and the interests of its members).
- Obtained a \$5.5 million settlement for a subsidiary of The Robert Rauschenberg Foundation in action for an accounting of profits generated from two shopping centers in New Jersey based upon breach of fiduciary duty.

Professional and Community Activities

- Board Member, Catholic Migration Services, Present
- President, Chaminade High School Lawyers Association, Present
- Member, New York City Bar Association, 2007—2020
- Member, American Bar Association, Litigation Committee, 2007—2020
- Volunteer and Mentor, Catholic Big Sisters and Big Brothers, 2013—2018
- Volunteer Coach for Rockville Centre Little League and Game7 Basketball