



## Thomas Baylis

### Partner

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Thomas Baylis is a partner in the firm's Commercial Litigation Department and has practiced in the area of commercial litigation for over 25 years. Thomas has represented a broad array of clients in the commercial lending, real estate, construction, and telecommunications industries, as well as numerous educational institutions.

Thomas regularly practices before the federal courts in New York and in the Commercial Division of the Supreme Court of the State of New York. He has also arbitrated and mediated claims in various forums. He represents companies, shareholders, and executives in "business divorces" and actions involving non-competition agreements and restrictive covenants. He also represents mezzanine lenders and holders of preferred equity in connection with defaulted loans; and, in the construction field, Thomas has represented contractors, subcontractors, and property owners in contract disputes and mechanic's lien matters.

Thomas also serves as the firm's General Counsel.

## Practices

- Commercial Litigation
- Alternative Dispute Resolution (ADR)
- Banking and Financial Services Litigation
- Real Estate and Land Use Litigation
- Appellate Litigation
- Commercial Contracts Disputes
- eDiscovery
- Commercial Foreclosures/ Total Debt Restructuring

- Construction Contract Dispute Resolution
- Loan Workout

## Industries

- Construction
- Financial Institutions
- Higher Education
- Real Estate

## Bar Admissions

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

## Education

- J.D., University of Pennsylvania Law School, 1988
- B.A., University of Pennsylvania College of Arts and Sciences, *cum laude*, 1985

## Representative Experience

- Served as lead counsel and successfully argued before the New York Court of Appeals in the landmark zoning action, *Retail Property Trust v. Board of Zoning Appeals of Town of Hempstead*, 98 N. Y.2d 190, 746 N.Y.S.2d 662 (2002).
- Convinced Bankruptcy Court to terminate purported settlement agreement with state agency based upon lack of consideration and adopt “total cost method” on a public construction contract to calculate multi-million-dollar damages award due to a significant change in the character of the work.
- Tried case to judgment in client’s favor and successfully defended appeal in action involving contested Uniform Commercial Code (UCC) foreclosure action.

## Professional and Community Activities

- President, University Club of Long Island, 2001–2002
- Area Chair, University of Pennsylvania Alumni Interview Network, 1999–Present

## Honors and Awards

- Distinguished Service Award, University Club of Long Island

## Publications

- The NYS Department of Financial Services Throws in Its “Two Bits” on Bitcoins, August 13, 2014
- Enforcing “Bad Boy” Guaranties When the Borrower Files for Bankruptcy Protection, February 11, 2014