



Edward J. Heppt

Partner | New York

ehppt@sgrlaw.com

Tel: 212-907-9708

Fax: 212-907-9808

Areas of Practice

Litigation / Trial Practice | Real Estate Law | Arbitration | Intellectual Property Litigation | Mediation | Construction
Dispute Resolution | Cooperative and Condominium Practice | Bankruptcy / Creditors Rights | Global Transport | Labor
and Employment

Edward J. Heppt is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP.

Mr. Heppt focuses his practice on complex commercial litigation and regularly represents clients in state and federal court and in arbitration. He has served as litigation counsel on a wide variety of commercial cases involving, by way of example, claims for breach of contract, specific performance, fraud, breach of fiduciary duty, tortious interference with contract and fraudulent conveyances. Mr. Heppt has considerable experience litigating business and contract cases, aviation disputes, employment matters, construction disputes, partnership disputes, intellectual property, securities law, and a wide range of business disputes.

As an aggressive and forward-thinking advocate, his strategic focus centers upon understanding his client's goals and implementing a strategy that best fits the client's needs. Mr. Heppt was named a New York Metro "Rising Star" by Super Lawyers 2018-2023.

Experience

- Obtained a \$406+ million judgment after a federal bench trial concerning an aircraft leasing dispute
- Obtained dismissal of breach of fiduciary duty and waste claims asserted against four directors of a large charity in an adversary proceeding in the U.S. Bankruptcy Court, S.D.N.Y.
- Defense of principals and an off-shore fund in a class action by foreign investors alleging fraud and breach of fiduciary duty

Continued

- Obtained dismissal of claims for the dissolution of several jointly-owned realty-holding companies in connection with a litigation between two partners of a real estate investment and brokerage company
- Obtained an *ex parte* order, under the Cape Town Convention, granting the lessor of an aircraft immediate possession and enjoining the lessee from preventing the aircraft from being flown from Hong Kong to the U.S.
- Obtained a TRO and preliminary injunction on behalf of the non-managing member of a LLC, granting the non-managing member exclusive authority and control over the construction and development of a high-end condominium project
- Obtained an order granting summary judgment in favor of the seller of a private aircraft, declaring that the seller is entitled to the contract deposit and directing the purchaser to pay the seller's attorneys' fees and expenses
- Obtained permission to commence a sealed action in the S.D.N.Y and obtained an *ex parte* order, under the Cape Town Convention, granting the lessor of aircraft engines immediate possession and enjoining the lessee from preventing the engines from being flown to the United States
- Obtained a TRO enjoining the managing members of a real estate holding LLC from accessing the company's bank accounts in connection with the construction and development of a condominium building
- Obtained partial summary judgment in favor of a real estate brokerage company in connection with a litigation involving competing claims to millions of dollars in brokerage commissions
- Obtained dismissal of an appeal filed in the Appellate Division, First Department by a shareholder of a cooperative building who sought over \$55 million in damages against the board of directors of the cooperative
- Obtained dismissal of a complaint seeking over \$1 million in commercial real estate brokerage commissions in connection with the leasing of commercial space in Jersey City, New Jersey
- Obtained favorable settlements for a large bank in connection with several actions involving financial fraud resulting from the misconduct of the bank's former branch manager
- Obtained an order enjoining the owner of a company from withdrawing corporate funds without the prior authorization of the company's principal investor
- Obtained a preliminary injunction on behalf of owner of aircraft engines requiring the lessee to convey title to two replacement of engines of equal or greater value
- Obtained a stay of eviction and favorable settlement on behalf of a commercial tenant in a declaratory judgment action brought by a landlord who sought to declare certain lease extensions null and void under the Statute of Frauds
- Successfully defended a landlord in an action brought by a commercial tenant who sought to compel the landlord to approve a specific contractor to perform renovation work

Continued

- Represented landlords in various litigations, including proceedings in NYC Housing Court

Publications

- Speaker, Aircraft Financing Subcommittee 2023 update on aviation litigation decisions, American Bar Association's Business Law Section Fall Meeting, September 7, 2023.
- Panelist, "The impact of Cape Town's remedies pending final determination on repossession rights in US courts," American Bar Association's Aviation and Space Finance Conference, December 8, 2022.
- SGR Litigation Blog: [Waiver Of Money Damages And The Inadvertent Consent To Injunctive Relief](#), September 21, 2020.
- SGR Litigation Blog: [The East River Divide](#), July 20, 2020.
- SGR Litigation Blog: [How Should Co-Ops, Condos and Office Buildings Adjust To New York's Social Distancing Guidelines?](#), May 20, 2020.
- SGR Litigation Blog: [Does The Money In Your Bank Account Really Belong To You?](#), April 15, 2020.
- SGR Litigation Blog: [Updates: New York Federal & State Courts](#), April 13, 2020.
- SGR Litigation Blog: [Response by the New York Federal & State Courts to COVID-19](#), April 1, 2020.

Admissions

New York State Courts

Southern District of New York

Eastern District of New York

Second Circuit Court of Appeals

Memberships

New York City Bar Association

New York Bar Association

Member of the New York City Bar Association's Council on Judicial Administration

Former Secretary of the State Courts of Superior Jurisdiction Committee for the New York City Bar Association