



## **Daniel S. Goldstein**

Counsel | New York

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### **Areas of Practice**

Litigation / Trial Practice | Labor and Employment | Arbitration

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Mr. Goldstein's practice focuses on commercial litigation and employment law. He regularly handles cases before state and federal courts, appellate courts, arbitration forums, and administrative agencies. He has significant experience litigating complex commercial disputes, and has handled multi-state and cross-border litigations in various jurisdictions including Delaware, California, Florida, Washington D.C., the Netherlands, Cayman Islands, British Virgin Islands, and Israel.

Mr. Goldstein's labor and employment practice includes handling litigations over employment contract disputes, claims of wrongful termination, class actions under wage and hour laws, discrimination, and disputes over trade secrets and restrictive covenants.

Mr. Goldstein also maintains a diverse commercial litigation practice with experience litigating corporate governance disputes, shareholder and partnership disputes, disputes over director and officer liability and fiduciary obligations, breach of contract cases including claims of fraud and misrepresentation, disputes over real estate and intellectual property, and domestic and international arbitrations.

Before joining Smith Gambrell Russell LLP, Mr. Goldstein was a commercial litigator at a top ranked international boutique law firm in Manhattan. His previous experience includes judicial internships with the Honorable Joseph McLaughlin of the United States Court of Appeals for the Second Circuit and the Honorable Robert Levy of the United States District Court for the Eastern District of New York.

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Mr. Goldstein received his undergraduate degree in Business Administration, concentration in Finance, from the State University of New York at Albany, where he graduated *cum laude*. Mr. Goldstein received his J.D. degree from Brooklyn Law School, where he was Associate Managing Editor of the *Brooklyn Journal of Corporate, Financial and Commercial Law*, and a member of the Moot Court Honor Society, Trial Advocacy Division.

## Experience

### Employment matters

- Represented multi-store retail chain in wage and hour overtime dispute brought by the New York State Department of Labor before the New York State Board of Industrial Appeals.
- Represented international cosmetics company in age and disability discrimination charge before New York City Commission on Human Rights and U.S. Equal Employment Opportunity Commission.
- Represented Board of Directors of publicly traded media company in corporate governance and employment dispute against company's CEO in the Delaware Court of Chancery over CEO's improper issuance and voting of company stock and employment termination.
- Represented CEO and Chairman of the Board of leading financial services company in corporate governance and employment dispute before the American Arbitration Association and New York State Supreme Court Commercial Division regarding employment termination and amendments to corporate documents.
- Represented CEO of publicly traded telecommunications company in employment dispute before the American Arbitration Association regarding employment termination and the acceleration and vesting of deferred compensation.

### General Commercial Litigation

- Represented BVI company in litigation before the U.S. District Court for the Southern District of New York, and with co-counsel before the Eastern Caribbean Supreme Court Virgin Islands in the High Court of Justice Commercial Division, the Grand Court of the Cayman Islands Financial Services Division, and the Commercial Law Section of the Court of Amsterdam, regarding company director's fraudulent self-issuance of shares of company stock and attempt to liquidate the company's interest in a Cayman Islands investment fund.

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- Represented foreign software development company in copyright infringement, breach of license agreement and trade secret misappropriation dispute before the U.S. District Court for the Southern District of New York and the American Arbitration Association ICDR regarding licensee's development of competing software during license term.
- Represented foreign microelectronics company in breach of contract and fraud dispute before the U.S. District Court for the District of Columbia and the American Arbitration Association ICDR regarding joint venture partner's failure to perform under a joint venture agreement.
- Represented high net worth individual in legal malpractice and breach of contract dispute against former attorney before the American Arbitration Association ICDR, U.S. District Court for the Southern District of New York, New York State Supreme Court Commercial Division, and the United States Bankruptcy Court for the Eastern District of New York.
- Represented high net worth investors against broker-dealer in breach of contract dispute before FINRA and New York State Supreme Court Commercial Division regarding broker-dealer's confiscation of collateral accounts.

## **Admissions**

New York