

## Adam J. Safer

*Director*

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Adam Safer is a commercial litigator who focuses his practice on complex disputes on behalf of companies in multiple sectors, including real estate, financial services, and construction. He tries cases in federal and state courts and all major arbitral forums, including the ICC, JAMS, AAA, and FINRA.

Adam represents real estate owners and developers in a wide variety of disputes, including compliance with the Fair Housing Act and related statutes, bidding on public procurements, and alleged breaches of contract and fiduciary duty.

Adam counsels clients in connection with employment raids, restrictive covenants, contract disputes, unfair competition, and compensation matters. He also conducts employment discrimination investigations.

In addition to his work for clients, Adam serves as the firm's Assistant General Counsel. In this capacity, he advises the firm and its members on matters of professionalism and risk management.

Prior to joining Goulston & Storrs, Adam was a partner with the New York City litigation boutique, Miller & Wrubel P.C

### **Accolades**

- Lawdragon, Leading 500 Litigators in America (2022, 2024)
- *Best Lawyers in America*® (2023-2024): Construction Law
- Martindale Hubbell Peer-Review Rated AV Preeminent™

### **Affiliations**

- New York City Bar Association
- Ethics in Employment Law, Co-Chair, New York City Bar (2011)

- Member of Labor and Employment Committee of the New York City Bar
- Clerkship with Hon. Lawrence M. McKenna, United States District Court, Southern District of New York

## **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, Second Circuit
- U.S. Court of Appeals, Fourth Circuit

## **Education**

- Benjamin N. Cardozo School of Law, Yeshiva University (J.D., *magna cum laude*)
  - Felix Frankfurter Award
- University of Wisconsin-Madison (B.A.)

## **Community**

Adam recognizes a responsibility to help those who do not otherwise have access to crucial legal representation. As a result, he spearheads pro bono asylum matters for people seeking refuge from abuse and violence in their home countries.

Most recently, Adam helped two abused individuals, from Tunisia and Mexico, gain political asylum in the United States. Through his compassionate advocacy, these individuals now live productive lives in the United States, without daily fear for their safety.

Adam also spent seven years on a team of litigators that ultimately helped exonerate a death row inmate by proving his claims of actual innocence.

## **Representative Matters**

### **Iovino's JV Wins Bid Protest to Begin NYC Climate Change Project**

Climate change is threatening all coastal cities, including prominent New York City. A collaboration between the city and the federal government introduced a one-of-a kind solution to protect Manhattan's East Side from coastal flooding: The East Side Coastal Resiliency (ESCR) Project. After an RFP process, two competitive bidders rose to the top. But when the city awarded the work to

Iovino's joint venture, an Article 78 proceeding – more commonly known as a bid protest – was filed. Read how Goulston & Storrs used 'stacking' as a foundational legal strategy to clear the way for Iovino to start construction.

### **Successfully Defended Iovino in One of the Largest Bid Protest Actions in New York City**

Represented an Iovino Enterprises joint venture in the successful defense of multiple challenges to the JV's winning bid of over \$1.2 billion for the East Side Coastal Resiliency Project that will protect lower Manhattan from flood risk due to coastal storms. See *details* [here](#). Our team defeated multiple applications for temporary restraining orders and preliminary injunctions sought in separate proceedings by a losing bidder and by community groups at both the trial court and appellate court levels.

### **Real Estate Fraud and Breach of Contract; Stay of Fraudulent Judgments**

Represented purchaser of the old Saint John's hospital in Queens, New York that was riddled with construction defects against claims by the seller for nonpayment. Our team obtained an order staying enforcement of confessions of judgment based on proof that they were obtained by fraud. The action was ultimately settled to the client's satisfaction.

### **Defended Claim for Breach of Technology Contract**

Represented hardware and software developer against claim by buyer that technology did not perform to specifications. There were sharp factual disputes over the specifications and the manner in which the buyer installed the technology. The action was settled to our client's satisfaction.

### **Investigated Fraudulent Actions by CEO**

Represented a publicly traded European telecommunications company and its U.S. subsidiary in an investigation of the subsidiary's CEO for fraud and embezzlement. Obtained a temporary restraining order and preliminary injunction preventing the dissipation of the stolen funds, then obtained an order of attachment and recovered the funds that were held in U.S. banks.

### **Claims of Discrimination and Retaliation**

Represented a law firm and its managing partner against claims of discrimination and retaliation. The plaintiff failed to abide by a mandatory contractual arbitration clause. After conducting an investigation, obtained a dismissal with prejudice when plaintiff filed a second court action rather than complying with a court order directing the dispute to arbitration.

### **Court Action and FINRA Arbitration Against Former Employees**

Represented an international investment bank in connection with a court action and FINRA arbitration against former employees who downloaded proprietary information shortly before their resignations to join a competitor. Obtained a temporary restraining order and preliminary injunction preventing the use by defendants of the downloaded documents.

### **Restrictions Against Employees Soliciting Their Former Customers**

Represented a commodities meat wholesaler and two employees it recruited from a competitor. Defeated a motion for a preliminary injunction alleging that our clients had improperly violated restrictions against soliciting their former customers

**Contractual Agreement Not to Solicit Former Colleagues to Join a Competitor**

Represented a partner in a dispute with a Big Four accounting firm, which alleged he had violated a contractual agreement not to solicit his former colleagues to join a competitor. The client asserted counterclaims for compensation. After a two-week arbitration heard by a three-arbitrator panel, the arbitrators entered an award in our client's favor on these non-solicitation and compensation claims.