

BRIAN K. CIFUENTES



Brian K. Cifuentes

PARTNER

Phone:

212-486-2400

Fax:

212-486-3099

Email:

bcifuentes@leaderberkon.com

Attorney Info:

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Brian Cifuentes is an experienced commercial litigator who focuses on a wide range of litigation and dispute resolution in such areas as complex commercial, employment, antitrust, product liability, and toxic tort actions in state and federal courts, and before arbitration panels. Brian has helped numerous clients achieve compelling results by guiding them through crisis situations, handling all phases of the litigation process, and resolving disputes with his creative and pragmatic approach.

Brian has represented clients in the financial services, insurance, equipment, and chemical manufacturing industries representing such clients as Morgan Stanley, BASF, Hormel, and Whirlpool. Brian is also involved in the firm's product liability and toxic tort practice, aiding in the defense of clients in national asbestos litigation. Brian is fluent in Spanish and a member of the Hispanic National Bar Association and the Long Island Hispanic Bar Association. Prior to joining the firm, Brian was a litigation associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP.

Asbestos Litigation

Brian represents defendants in asbestos litigation in the role of both local and national counsel, representing companies allegedly responsible for manufacturing equipment that incorporates asbestos-containing components and companies sued under premises liability theories.

Aviation Litigation

Brian has represented a major airline in a complex commercial litigation in federal court in connection with the collision of two 777 aircraft at JFK airport.

Business and Commercial Litigation

Brian has a diverse commercial litigation practice focusing on contractual disputes. Brian's past and recent representations include:

- The defense of an international chemical manufacturing company in a federal breach of contract and fraud action based on negotiations for the purchase of a mining and chemical processing facility.
- Obtaining a restraining order, declaratory relief, and a monetary judgment, including attorneys' fees, in connection with a defendant's improper retention of well-known artwork.
- Representation of a major equipment manufacturer in a AAA arbitration regarding a breach of a services contract and successfully obtaining an arbitration award, including attorneys' fees, and

dismissing all counterclaims.

- The defense of a major insurance company against antitrust claims brought in federal and state courts by commercial insureds alleging bid-rigging, market allocation, and the improper use of broker commissions.
- Representation of an international chemical manufacturing company in federal court in the successful prevention of attachment of certain licensing and royalty fees in connection with the Argentine bond default matters.
- Representation of a major food manufacturer in connection with a breach of contract claim and successfully obtaining a monetary judgment, including an award for attorneys' fees.
- Representation of an automotive refinish product manufacturer in state and federal breach of contract actions.
- The representation of a money transmitter company in a breach of contract and specific performance action in connection with an alleged improper termination of a reverse triangular merger.

Employment Litigation

Brian has significant experience representing clients in employment-related disputes in connection with non-compete and non-solicitation agreements, representing both employers and employees in New York state court and successfully obtaining and defending against claims for injunctive relief.

Product Liability

Brian has represented major equipment manufacturers of cutting, welding, and air and gas handling equipment in breach of contract, breach of warranty, and products liability matters in state and federal courts nationwide in suits alleging serious bodily injury.

Securities Litigation

Brian has successfully represented financial institutions in securities-related matters and regulatory investigations, including representing such clients before arbitration panels. Brian's representations include a FINRA arbitration brought by a broker-dealer in connection with a series of multimillion-dollar mortgage-backed securities trades and successfully obtaining an arbitration award. Brian also represented a client in a multi-week arbitration of a commodities index market manipulation case before the Intercontinental Exchange.

Education

City University of New York, School of Law, J.D.

2005

John Jay College of Criminal Justice, M.A.

2003

St. Lawrence University, B.S.

2000

Professional Activities & Admissions

New York

U.S. District Court Southern District of New York

U.S. District Court Eastern District of New York

Hispanic National Bar Association New York Super Lawyers Rising Stars, 2016-2018

Editor of the New York City Law Review, (2005)

Practice Areas

Asbestos Litigation

Aviation Litigation

Business and

Commercial Litigation

Employment Litigation

Product Liability & Toxic Tort

Securities Litigation

Publications / Presentations

[Proportionality: The Continuing Effort to Limit the Scope of Discovery](#)

} Apr 26, 2015

Metropolitan Corporate Counsel

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Nonparty Subpoenas: Why the Requestor Should Pay

} Jun 26, 2014

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