

# STATE & FEDERAL COURT APPEALS

## OUR PRACTICE

R&E features a distinguished Appellate Litigation Department that has a long and storied history of success, having prevailed for decades in numerous landmark appeals that have positively impacted New York's real estate industry. For 50 years, R&E has been at the forefront of protecting the rights of owners, landlords, developers, and the entire real estate industry at New York's appellate courts, including repeatedly setting precedent at the New York State Court of Appeals, the state's highest appellate court. R&E has recently handled multiple high-profile appellate cases at New York's highest appellate court, including the pivotal Court of Appeals' decisions in *Casey v Whitehouse Estates, Inc.*, 39 NY3d 1104 (2023) and *Matter of Regina Metro. Co., LLC v New York State Div. of Hous. and Community Renewal*, 35 NY3d 332 (2020), which is considered one of the most significant decisions to impact the New York real estate industry.

Established by founding member Gary M. Rosenberg, Esq., R&E's Appellate Litigation Department is headed by member Ethan R. Cohen, Esq., who began his legal career as an Appellate Court Attorney at the Appellate Division, Third Judicial Department, and has successfully represented R&E's clients on multiple high-profile appeals in New York since joining R&E in 2014. As a prior Appellate Court Attorney, Ethan brings a valuable perspective and aptitude for appellate practice to R&E, and has recently taken the reins from Jeffrey Turkel, Esq., who successfully led the prestigious department for 30 years and remains an asset to the team as Special Counsel.

Appellate practice is a specialized area of law that requires a particular attention to detail, comprehensive legal knowledge and analysis, problem-solving skills, persuasive writing, and creativity. It is always best to consult an appellate practitioner for any case that might involve appellate litigation, as most cases that do not settle are ultimately won or lost at the appellate level. Whether you need representation defending against an appeal from a favorable order or judgment, or you need representation appealing an unfavorable order or judgment, R&E should be your first call to review your case and handle your appeal, no matter how simple or complex.

With a wealth of appellate experience and New York-based real estate knowledge spanning all areas of law, R&E approaches each appeal with an expert, tailored strategy that protects your interests and focuses on achieving your goals on appeal. We provide clients with insightful advice and practical guidance for every appeal, rooted in decades of experience navigating complex appeals. Do not hesitate to contact R&E today with the details of your case, appeal, or potential appeal to discuss how we can help you succeed.



## NOTABLE WORK

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The list of R&E's successful and important appellate decisions is extensive, including victories spanning the decades in *LaGuardia v Cavanaugh*, 53 NY2d 67 (1981); *Hudson View Properties v Weiss*, 59 NY2d 733 (1983); *Park West Village v Lewis*, 62 NY2d 431 (1984); *Seawall Assoc. v City of New York*, 74 NY2d 92 (1989); *Matter of Whitney Museum of Am. Art v New York State Div. of Hous. & Community Renewal*, 73 NY2d 938 (1989); *Manocherian v Lenox Hill Hosp.*, 84 NY2d 385 (1994) and 229 AD2d 197 (1st Dept 1997); *520 East 81st St. Assoc. v State of New York*, 19 AD3d 24 (1st Dept 2005); *Matter of KSLM-Columbus Apartments, Inc. v New York State Div. of Hous. and Community Renewal*, 5 NY3d 303 (2005); *Pultz v Economakis*, 10 NY2d 542 (2008); *Altman v 285 W. Fourth LLC*, 31 NY3d 178 (2018); *West Vil. Houses Renters Union v WVH Hous. Dev. Fund Corp.*, 175 AD3d 1210 (1st Dept 2019); *Matter of Regina Metro. Co. LLC v New York State Div. of Hous. & Community Renewal*, 35 NY3d 332 (2020); *Gap, Inc. v 44-45 Broadway Leasing Co., LLC*, 206 AD3d 503 (1st Dept 2022); *Casey v Whitehouse Estates, Inc.*, 39 NY3d 1104 (2023); and *Burrows v 75-25 153rd Street, LLC*, 215 AD3d 105 (2023).