



Jonathan K. Cooperman

Partner

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About

An experienced trial attorney, Jon Cooperman focuses his practice on civil litigation, including commercial litigation and contract disputes, environmental law claims involving property damage and personal injury, consumer class actions, and unfair competition and theft of trade secrets.

Now in his fourth decade of practice, Jon has litigated complex, high-stakes matters in forums across the country and overseas—from a one-room Iowa courthouse to an arbitration panel in London. He has served as lead counsel on behalf of clients from a wide range of industries in lawsuits and arbitrations in 31 states, as well as in Puerto Rico and several international arbitrations.

Jon has consistently been recognized for his professional success, including his designation as a national litigation star in *Benchmark Litigation* 2023 and 2025, inclusion in *New York Super Lawyers* in 2007 and 2009-2025, and recommendation in *US Legal 500* for his work in the areas of Product Liability, Mass Tort and Class Action, Consumer Products, 2017 and 2019-2021, and Environment Litigation, 2020-2021.

A past 14-year member of the firm's Executive Committee, Jon is also an avid cyclist and competes in Ironman, Half-Ironman, and Olympic distance triathlons.

Experience

Commercial Litigation

Madoff Bankruptcy Litigation, S.D. New York

Represented French family in an action by the Trustee seeking to recover more than \$150 million. A favorable settlement was achieved after lengthy litigation.

Alpha Founders Holdings LLC v. Magellan Health, Inc., E.D. New York

Defeated applications for a Temporary Restraining Order and Preliminary Injunction and obtained dismissal of lawsuit involving alleged breach of fiduciary duty and breach of contract in connection with a corporate merger.

News America Marketing LLC v. MGA Entertainment, Inc., S.D. New York

Represented MGA Entertainment and prosecuted counterclaims for wrongful inducement to enter into a commercial contract. Case favorably settled during jury trial.

Represented a major law firm in a \$55 million legal malpractice claim involving a real estate transaction brought in New York Supreme Court, Kings County. Obtained dismissal of the case after motion practice, upheld on appeal.

Imax Corporation v. E-City Entertainment, ICC Arbitration in London

Handled a lengthy arbitration hearing before an international panel, resulting in an award of \$9.4 million, plus interest and attorneys' fees, in a case that involved leasing equipment in India.

Greenberg v. Toymax Inc. and Toymax (H.K.) Ltd., E.D. New York

Defended both Toymax companies in a dispute with a licensor involving various claims, including breach of contract and tortious interference with a contract. After an 18-day bench trial, the court found for Toymax on all claims.

Yearlook Enterprises v. Videovation, Inc., AAA Arbitration

Represented two subsidiaries of The Reader's Digest Association in a dispute concerning a sale of the assets of one of the subsidiaries. After a lengthy arbitration hearing, all claims against the client for breach of contract and fraud were dismissed, and the client was awarded its full requested relief on breach of contract counterclaims.

Communications Diversified v. General Motors Corporation, New York State Supreme Court

Member of the trial team prosecuting a lawsuit against GM for breach of contract and unfair competition arising out of GM's use of a client's program in connection with the GM MasterCard program. The matter resulted in a jury verdict with interest of \$34 million after a six-week trial that was upheld on appeal.

Kamyr, Inc. et al. v. Combustion Engineering, Inc., et al., New York State Supreme Court

Member of the trial team defending an \$80 million case brought by a Swedish multinational corporation alleging, *inter alia*, breach of contract, fraud, tortious interference of contract and unfair competition against a U.S. subsidiary of Asea Brown Boveri. The trial resulted in a defense jury verdict that was upheld on appeal.

Fares v. Lankau, et al., D. Delaware

Obtained the dismissal of a shareholder action alleging improper equity dilution of minority shareholders.

Muvico Theaters v. Imax Corporation, S.D. Florida

Represented Imax against claims for fraudulent inducement to contract and various statutory violations. After lengthy discovery, the court granted Imax's summary judgment motion dismissing all of Muvico's claims. Imax's counterclaims were thereafter favorably settled.

Rubin-Schreiderman v. Merit Behavioral Care Corporation, et al., S.D. New York

Represented a managed care provider in a claim by a plan participant that our client negligently denied the plaintiff certain medical care, which caused millions of dollars of damage. Our team obtained a dismissal of the complaint on grounds that common law negligent claims are preempted by the remedies offered under ERISA, which was upheld by the Second Circuit.

Represented BP Products North America Inc. in a series of lawsuits against BP brought by independent dealers in New York and New Jersey state and federal courts concerning disputes over their BP Dealer Supply Agreements.

Amoco Oil Company v. Edge Gas Liquids and Edge Group, Inc., S.D. Texas

Represented Amoco in a breach of contract action involving propane gas contracts. After obtaining a

temporary restraining order preventing the sale of certain of the defendants' assets, we obtained an award of summary judgment, plus attorneys' fees, after expedited discovery.

Wagenheim v. NSI International, Inc., New York Supreme Court

Obtained a summary judgment in a declaratory judgment action in which the court found that NSI was not liable for debts of the company whose assets were acquired by NSI.

Easter v. Imax Corporation and Sonics Associates, Inc., N.D. Alabama

Obtained a favorable settlement through mediation of a multi-million dollar claim for breach of an executive's employment agreement after successfully arguing that the agreement constituted a contract subject to ERISA, which does not permit jury trials, and after interposing several counterclaims.

Hartej, Inc. v. Jamna Corporation, S.D. New York

Defended a major Indian auto manufacturer in a breach of contract and letter of credit dispute brought by its American agent seeking damages of \$6.5 million. The case settled for a confidential, five-figure amount on the eve of trial after pursuing an aggressive pretrial motion practice.

John Q. Hammons Theaters, Inc. et al. v. IMAX Corporation, D. Iowa

Represented Imax in a tortious interference of contract and breach of contract action arising out of a venture to install an Imax™ theater at a museum in Davenport, Iowa. The case successfully settled after discovery and summary judgment motion.

Air BP v. Aerovivas Venezolanos, S.A., et al., S.D. Florida

Represented Air BP in a dispute over fuel oil deliveries. Obtained an award of summary judgment for the full amount sought.

Merit Behavioral Care Corp. v. Fassler and Koman, D. Massachusetts

Prosecuted a breach of contract claim arising out of breach of warranties in an Asset Purchase Agreement and subsequent agreement regarding receivables. The case was settled before trial for close to the full value and dismissal of all counterclaims.

DHS Holdings v. Saban Entertainment, Inc., S.D. New York

Represented an international toy manufacturer and license holder in a dispute over licensing and merchandising of the Creepy Crawlers product line.

Products Liability/Environmental

Baumbach v. ExxonMobil, et al., New York Supreme Court/*Spiroff v. ExxonMobil, et al.*, E.D. New York and New York Supreme Court

Lead counsel representing the defendant, BP Products North America Inc., in a putative federal court class action and 18 state court cases brought by over 600 residents of Greenpoint, Brooklyn, alleging in excess of \$1 billion in property damages and personal injuries due to a large oil spill.

Burnside 711 LLP v. Amerada Hess Corporation, N.Y. Supreme Court, Nassau County

Represented Amerada Hess in a case alleging property damage due to a spill of fuel oil. Defense verdict after a lengthy jury trial, upheld on appeal.

Cruz-Aponte, et al. v. Caribbean Petroleum Corp., et al., Puerto Rico Federal and State Courts

Representing Air BP in a series of putative class actions and individual cases arising out of an explosion at a fuel terminal. Favorable settlement obtained shortly before trial.

Representing Speedway LLC in a lawsuit brought in New York Supreme Court, Suffolk County for alleged property damage and remedial costs in connection with a large fuel spill.

Representing a waste-to-energy biogas manufacturer in 17 Nebraska state court and two federal court actions arising out of the alleged release of hydrogen sulfide gas into the sewer system and air.

The Hartz Mountain Corporation v. Hartz Mountain Industries, Private Arbitration

Successfully represented The Hartz Mountain Corporation in a dispute over the obligation to pay for the remediation of an insecticide formulation factory in Mississippi. The arbitrator found for our client on all issues.

Clark v. Dictaphone Corporation, et al., W.D. Missouri

Represented Dictaphone Corporation in a products liability action for personal injuries arising from the plaintiff's exposure to hydrogen sulfide gas at a pesticide manufacturing plant in Kansas City, allegedly due to a faulty hydrogen sulfide gas detector manufactured by the client. A favorable settlement was obtained after lengthy discovery and while a summary judgment motion was pending.

Smith, et al. v. The Hartz Mountain Corporation, N.D. Ohio

Obtained a dismissal on the grounds of preemption under the Federal Insecticide Fungicide and Rodenticide Act of product liability claims alleging injuries to the plaintiffs due to exposure to pesticides in animal flea and tick products.

O.K. Petroleum, et al. v. West Hempstead Water District, et al., N.Y. Supreme Court, Nassau County
Represented a former subsidiary of Hess in a case seeking contribution for MTBE allegedly impacting municipal water wells. Obtained a dismissal of the case for our client after motion practice.

Amco International v. The Long Island Railroad, New York State Supreme Court, Suffolk County
Representing a railroad in a claim for property damage arising out of a spill of diesel oil. The bench trial resulted in a split verdict.

Amoco Oil Company v. ExxonMobil, E.D. New York

Represented Amoco in a lawsuit over responsibility to remediate millions of gallons of petroleum products near the Newtown Creek in Brooklyn, New York. The case settled before trial with ExxonMobil agreeing to prevent contamination attributable to historical Mobil operations from migrating onto our client's property.

Represented BP Products North America Inc. in claims by Cargill, Inc. concerning responsibility for petroleum contamination at the site of a former bulk storage facility in Providence, Rhode Island.

Lumley, et al. v. Hess Corporation, New York Supreme Court, Suffolk County

Represented Hess in a lawsuit alleging that a spill of gasoline from a service station migrated beneath homes in a residential area. Favorable settlement after obtaining dismissal of federal claims.

Ville de Port v. Hess Corporation, New York Supreme Court, Kings County

Obtained a summary judgment dismissing New York Navigation Law claims against Hess in a case arising from a large spill of home-heating oil at a Brooklyn apartment complex.

Stolt Realty v. Atlantic Richfield Company, New York Supreme Court, Monroe County

Represented Atlantic Richfield in a lawsuit brought under the Navigation Law for alleged contamination of the plaintiff's property. Obtained a summary judgment dismissal of property

damage claims.

Sundaram v. BP Products North America Inc., Superior Court, Connecticut
Obtained a dismissal of claim seeking BP to remediate a former service station property. The case thereafter settled for a nominal amount after the complaint was amended.

110th Street v. Amoco Oil Company, S.D. New York
Represented Amoco Oil Company in a claim brought for an alleged fuel spill at a former Amoco service station. The case favorably settled before trial.

Gussack Realty v. Xerox Corporation, S.D. New York
Defended Xerox Corporation in an action to recover CERCLA response costs and for property damage allegedly caused by chlorinated solvents that had allegedly migrated from Xerox's property to the plaintiff's property. Several claims were dismissed prior to being submitted to the jury. Jury verdict was far below what the plaintiff requested.

Represented BP in administrative proceedings commenced by the New York Department of Environmental Conservation for alleged violations in connection with repairs to fuel storage tanks at a tank farm facility.

Member of the team defending Xerox Corporation in connection with five separate New York federal and state court lawsuits for property damage and personal injuries allegedly caused by environmental contamination. The cases were either dismissed or favorably settled.

Member of the team defending GTE Corporation in claims for personal injuries and wrongful death arising out of a natural gas pipeline explosion in Venezuela that occurred during work to construct a fiber-optic telephone line. After discovery and extensive briefing, the court granted GTE Corporation's motion to dismiss for *forum non conveniens*.

Southern Boston Management Corp. v. BP Products North America Inc., S.D. New York
Represented BP in a dispute with the purchaser of property that was formerly a BP service station concerning the UST system located at the property. The case settled after mediation.

Consumer Class Actions

Kings Choice Neckwear v. Pitney Bowes, Inc. et al., S.D. New York
Obtained the dismissal of a putative nationwide class action challenging the propriety of terms in Pitney Bowes' equipment lease.

Held v. Macy's and Bloomingdales, New York State Supreme Court
Obtained the dismissal of a putative nationwide consumer class action challenging our clients' consumer rewards program.

Culotta v. NSI International, N.D. Ohio
Represented NSI in a putative class action alleging that the client's advertising unfairly described the attributes of a toy product. Obtained a favorable settlement prior to class action certification.

Hilt v. Dictaphone Corporation and Pitney Bowes, Inc., N.D. Alabama
Represented the defendants in a putative nationwide class action lawsuit alleging that a product was not compliant with applicable standards. Pursued a motion practice strategy that resulted in the dismissal of class action allegations.

Arlandson v. The Hartz Mountain Corporation, D. New Jersey

Represented Hartz in five consolidated putative nationwide class actions concerning insecticides used in the client's flea and tick collar products. Obtained a nominal settlement and dismissal of individual claims prior to class action certification and after extensive motion practice.

Wilgus v. The Hartz Mountain Corporation, N.D. Indiana

Obtained the dismissal of a putative class action of Indiana residents alleging that animals were injured by pesticides contained in the client's flea and tick products. The court granted our motion to dismiss all claims as preempted by the Federal Insecticide Fungicide and Rodenticide Act.

Unfair Competition/Intellectual Property

Link Group LLP v. Toymax Inc., D. Connecticut

Represented Toymax in a jury trial in which the plaintiff alleged violations of the Connecticut Uniform Trade Secret Act and the Connecticut Unfair Trade Practice Act in connection with Toymax's introduction of the Laser Challenge™ toy product. The case favorably settled during jury deliberations after a three-week trial.

NSI International v. Imperial Toy LLC, S.D. New York

Obtained favorable settlement of lawsuit for false advertising and trade dress infringement prior to a preliminary injunction hearing after extensive expedited discovery.

Océ North America, Inc. v. MCS Services, Inc., D. Maryland

Represented Océ in a theft of trade secrets case involving stolen Océ software by a competitor. Obtained a temporary restraining order and preliminary injunction. Prosecuted claims under the Digital Millennium Copyright Act, The Computer Fraud and Abuse Act and for misappropriation of trade secrets. Obtained a confidential favorable settlement.

Roquette America, Inc. et al. v. Amylum Belgium N.V., et al., Iowa State Court and S.D. New York

Represented a leading European agricultural products manufacturer and senior executives in claims arising out of the client's hiring of a senior executive that previously worked for one of the plaintiffs. Claims included theft of trade secrets and alleged tortious interference with a non-compete agreement. The case was dismissed by the Iowa Supreme Court for a lack of personal jurisdiction after discovery and an extensive hearing on jurisdictional issues. A case was subsequently filed by the same plaintiffs in the Southern District of New York alleging violations of the Lanham Act and RICO, which was dismissed after motion practice, and the dismissal was upheld by the Second Circuit.

Sheffield Laboratories, Inc. v. The Hartz Mountain Corporation, D. Connecticut

Represented Hartz in a case where the plaintiff claimed that Hartz misappropriated information in connection with a venture to produce a new pet care product. Obtained a settlement for a nominal amount after prevailing on most issues on summary judgment.

M.P. Innovations v. Atlantic Horizon, Inc., New York Supreme Court

Represented Atlantic Horizon in a case alleging that the client misappropriated confidential information concerning a product known as the "Detox Patch." The court dismissed the case after discovery and motion practice.

Tactica International, Inc. v. Atlantic Horizon International, Inc., et al., S.D. New York

Represented a British manufacturer and its U.S. distributor of certain beauty products in a lawsuit brought by the British manufacturer's former U.S. distributor to enjoin the sale of certain products,

for theft of trade secrets and to enforce a covenant not to compete. After a three-day injunction hearing, the court denied the plaintiff's request that the defendants be enjoined from conducting business. The case subsequently settled with no monetary payments to the plaintiff and permitting the defendants to conduct business in the United States.

Dictaphone Corporation v. Diehl, D. Connecticut

Prosecuted an action for injunctive relief against a former Dictaphone executive to enforce a covenant not to compete. The case settled with the defendant agreeing to abide by covenant.

Toymax Inc. v. Thinkway Products, Inc., S.D. New York

Prosecuted claims for Lanham Act violations and unfair competition arising out of the defendant's marketing of a product improperly based upon the client's Laser Challenge™ system. A temporary restraining order was granted after an evidentiary hearing and the case was subsequently favorably settled.

Valentino v. MGA Entertainment Corp., E.D. New York

Represented the defendant in a claim for trademark and copyright infringement involving one of the client's doll products.

NSI International Inc. v. Big Ideas, Inc., S.D. New York

Obtained a temporary restraining order where the defendant infringed the client's trademarks for toy craft products. The case subsequently settled with a consent judgment.

Geotek Communications, Inc. v. Apex Communications, S.D. Texas

Prosecuted an action for injunctive relief against a former franchisee for misuse of our client's confidential information. The case settled after injunctive relief was obtained.

Daval, N.Y. Inc. v. Toymax, Inc., E.D. New York

Obtained a summary judgment dismissal of Lanham Act and state law claims arising out of alleged misappropriation of the plaintiff's concept for a toy product.

MGA Entertainment Corp. v. K'NEX Industries, S.D. New York

Represented the plaintiff in a Lanham Act claim involving the defendant's marketing of its Commanda-bot toy product, which infringed upon our client's Command-o-bot™ mark. The defendant agreed, *inter alia*, to cease its use of the offending name.

Lexington Lasercomb L.P. AG v. Atlantic Horizon International, Inc., et al., S.D. Florida

Represented the defendants in a trademark and patent dispute concerning a laser hair comb. The case settled allowing our client to continue selling its product.

Represented MGA Entertainment in multiple proceedings for unfair advertising brought by the Children's Advertising Review Unit of the Better Business Bureau concerning our client's television advertising for a number of its toy products.

Represented Elysee Beauty Products and Atlantic Horizon International in a proceeding before the National Advertising Division of the Better Business Bureau (NAD) in which a competitor claimed that the client falsely advertised that its women's home electrolysis unit "permanently" removed hair. The NAD ruled in our clients' favor and found that the advertising was accurate.

BP Products North America, Inc. v. Oesch Distributing, et. al., N.D. Ohio

Represented BP in a breach of covenant not to compete/unfair competition case arising out of the defendant's solicitation of customers they serviced while a BP consumer marketer.

Right To Privacy

Powers v. Dictaphone Corporation, D. Kentucky

Obtained a summary judgment dismissal of claim that our client's installation and use of logging equipment violated federal wiretap laws and the plaintiff's right to privacy.

Sexton, et al. v. Dictaphone Corporation, et al., E.D. Missouri

Obtained a summary judgment dismissal of claims for invasion of privacy and breach of federal and state wiretap laws arising out of alleged misuse of our client's recording equipment.

Leasehold Disputes

Drutman Realty Co. v. Jindo Corp. and Jindo Ventures Corp., S.D. New York

Defended a Korean conglomerate in a federal court dispute over the guaranty of commercial real estate located in New Jersey. Defeated the plaintiff's summary judgment motion by successfully arguing in a case of first impression that a New Jersey commercial landlord has a duty to mitigate damages. The case subsequently settled for a confidential amount representing a fraction of what was owed on the disputed lease.

The Children's Place v. Equity Properties, Inc., Florida State Court

Prosecuted an action for breach of covenant of quiet enjoyment due to the landlord's failure to adequately maintain a mall location. Obtained a termination of the lease and reduction of rent owed.

Caldwell Construction Corp. v. Clearview Cinemas, New Jersey State Court

Represented a subsidiary of Cablevision in a dispute with a landlord concerning whether a theater was built in conformity with lease specifications. The matter was resolved with the landlord dropping claims for money damages.

Bakery Associates v. Miami Theatre LLC, Florida State Court

Represented Miami Theatre, an affiliate of Imax, in alleging breach of a lease for a large format theater in a mall in suburban Miami.

Honors

Featured as a national litigation star in *Benchmark Litigation* 2023 and 2025-2026.

Recommended in *US Legal 500* for his work in the areas of Product Liability, Mass Tort and Class Action: Consumer Products, 2017 and 2019-2021 and Environment Litigation, 2020-2021.

Listed in New York *Super Lawyers*, 2007 and 2009-2024.

Affiliations

Co-Chairman of the New York State Bar Association "Faster, Smarter, Cheaper Working Group" Committee tasked with making recommendations to improve the efficiency of the litigation process.

Related Services

Litigation

Consumer Class Action Defense

Commercial Litigation

Environmental Litigation

Toxic Torts and Products Liability

Energy

Environmental
Environmental Regulation
Financial Institutions
Blockchain and Cryptocurrency
Advertising and Marketing
Manufacturing

Education

Syracuse University College of Law, J.D.

- magna cum laude

Williams, B.A.

- History

Admissions

New York

Courts

U.S. Court of Appeals-Second Circuit

U.S. Court of Appeals-Second Circuit

U.S. District Court-Southern District of New York

U.S. District Court-Eastern District of New York