



Robert I. Steiner

Partner

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About

A practical business litigator and trial lawyer, Rob Steiner combines creative advocacy with a pragmatic approach to favorably resolve a wide range of consequential and complex commercial disputes. His focus on obtaining an in-depth understanding of the facts of each case enables him to concentrate on the issues that matter and discard those that don't, with an appreciation of a given strategy's business implications.

With more than two decades of commercial litigation experience, Rob is often asked to get involved in difficult matters that require a creative solution or novel approach. He frequently serves as lead counsel for claims with hundreds of millions of dollars at stake.

Rob's client-centric perspective is revealed not only in the outcomes he obtains but also in counsel that eases his clients' concerns and minimizes the burdens and disruptions of protracted litigation.

Ranked in New York *Super Lawyers* for business and employment litigation, Rob has handled high-stakes jury trials, bench trials, arbitrations, and appeals in federal and state courts around the country.

His experience spans a diverse range of substantive commercial law disciplines, including breach of contract, class actions, insurance coverage, employment disputes, unfair competition, restrictive covenants, and trade secret misappropriation, among others.

Rob also frequently handles internal investigations for his clients, including those related to alleged compliance issues and employee complaints.

Rob's clients include domestic and international businesses, financial institutions, retailers, consumer product manufacturers, national testing laboratories, and a global life sciences company.

More than once, Rob has taken on matters that others have concluded were unwinnable and crafted favorable business-oriented solutions or obtained a positive outcome through novel litigation strategy. Hands-on and personally involved in every aspect of each case, Rob is committed to providing exceptional client service.

Rob is the managing partner of the New York Office.

Experience

Commercial Litigation

Representing major international health and beauty company in breach of contract lawsuit against a manufacturer pending in the Southern District of New York.

Represented a national testing laboratory and its affiliate at the U.S. Court of Appeals for the First Circuit, which vacated a seven figure judgment against the laboratory and dismissed a claim that they breached a licensing agreement.

Trial counsel for an international fashion retailer in a multimillion-dollar breach of contract claim brought by a former licensee, which alleged that the licensee's rights to use certain trademarks was prematurely terminated. The case settled during trial.

Trial counsel in the defense of a multimillion-dollar claim arising out of a joint venture for the development of a call center facility in India. Obtained an arbitration award dismissing all claims brought against our client and an award of damages and attorneys' fees on our counterclaim.

Trial counsel for a major chemical company in a fraud, unfair competition and breach of contract case arising out of the purchase of a company. Obtained a multimillion-dollar jury verdict in the action and successfully prosecuted a contempt application against the defendant.

Prosecuted a claim for breach of a license agreement on behalf of a life sciences company, which alleged that its licensee had sold product beyond the scope of its limited license. The matter settled on favorable terms after the conclusion of fact discovery.

Successfully defended a major financial institution in an arbitration brought by a claimant who sought more than \$100 million in alleged damages.

Defended a breach of contract claim against a French publishing company for its alleged failure to purchase handheld electronic devices from a U.S. manufacturer. The case settled for a small fraction of the amount claimed.

Successfully represented a national testing laboratory at the New York Court of Appeals, which answered two certified questions from the Second Circuit Court of Appeals concerning whether a duty of care was owed and whether a fraud claim was stated in favor of the laboratory.

Prosecuted an appeal for a multinational banking institution, which resulted in the appellate court overturning a trial court's denial of a motion to dismiss a letter of credit dispute.

Represented a major supplier of aviation fuel in a dispute with a commercial airline. Obtained a summary judgment on behalf of the supplier in the full amount of its claim.

Counsel for an industrial chemical manufacturer in the prosecution of a breach of contract and unfair trade practices act claim arising out of our client's purchase of a power generation facility.

Represented a managed care provider in a claim by a plan participant that it negligently denied the plaintiff certain medical care. Obtained a dismissal on ERISA preemption grounds.

Counsel for a medical equipment supplier in the defense of claim by a manufacturer for tortious interference with contract. The case was dismissed on personal jurisdiction grounds.

Successfully defended a major financial institution against claims that it breached a brokerage agreement with the plaintiff.

Successful defense, including obtaining numerous dismissals on behalf of a national testing laboratory, against allegations that the lab was negligent in reporting drug test results.

Class Actions

Defended a major retailer in a putative wage and hour class action alleging the failure to pay a commissioned sales representative overtime. The class allegations were dismissed and the case settled on favorable terms on an individual basis.

Defeated the conditional certification of a collective action pursuing federal wage-and-hour claims in a FLSA case against a global drug development company.

Successfully represented a global life sciences company in a Telephone Consumer Protection Act class. Avoided class liability and favorably settled the dispute on an individual basis.

Represented a national testing laboratory in a TCPA class action lawsuit, which successfully avoided class liability due after Plaintiff's counsel was forced to withdraw its motion for class certification and all class allegations.

Lead counsel for a national testing laboratory named as a defendant in a class action lawsuit that alleged negligence and consumer fraud. The court dismissed the matter on our pre-discovery motion.

Counsel for one of the world's largest financial institutions in its defense of a class action securities claim arising out of our client's role as an underwriter of an initial public offering. The matter settled on terms favorable to our client.

Defeated a class certification motion relating to the closing of a division of a Fortune 500 company.

Defended a class action brought against an Indian company alleged to have violated wage and hour laws and breached employment contracts with its employees.

Restrictive Covenants/Trade Secrets

Obtained an injunction of behalf of a global drug development company against a former senior executive and a competitor who hired him, restraining the former employee from going to work for the competitor.

Represented a national testing laboratory against a former executive for breach of his non-compete. The court rejected the employee's argument that his non-compete obligations were extinguished by his severance agreement and entered an injunction in favor of our client.

Prior to filing a complaint, negotiated a multi-million dollar settlement on behalf of a life sciences company arising out a former employee's theft of our client's confidential and proprietary information, which was subsequently shared with a competitor.

Defended an international apparel retailer and several of its employees accused of breaching their restrictive covenants and theft of trade secrets. The matter settled favorably just prior to a preliminary injunction hearing.

Successfully defended an international technology company against theft of trade secrets claims. The court denied the plaintiff's request for a preliminary injunction and temporary restraining order.

Defeated a motion for a preliminary injunction brought against an international consulting firm for allegedly breaching a "no hire" clause in a contract with its subcontractor. The plaintiff dismissed the case with prejudice after the motion was denied.

Following a hearing, obtained a permanent injunction enforcing the non-compete and non-solicitation provisions of a restrictive covenant against a former executive level employee.

Lead counsel for a manufacturing company in a theft of trade secret matter against a former employee and his competing company. After successfully defeating summary judgment, obtained a judgment of more than \$30 million in favor of our client.

Lead counsel in the defense of a financial services company and two of its employees accused of misappropriating a competitor's trade service business information. The matter settled on favorable terms during discovery.

Lead counsel in the defense of a financial services company, its president and one of its employees accused of stealing a competitor's trade secrets and interfering with the competitor's present and prospective business relationships. Successfully obtained a pre-discovery dismissal of the trade secret claims and the claims against our client's president. Following extensive discovery, the court granted our client's summary judgment motion and dismissed the remaining claims in their entirety.

Obtained a multi-million dollar settlement and additional relief on behalf of a company arising out of the company's purchase of a business which included the seller's agreement to certain restrictive covenants as part of the sale. The matter settled just prior to a preliminary injunction hearing.

Defended a national testing laboratory and its employee against allegations that the employee violated various restrictive covenants with his former employer, including a non-compete agreement. The court denied the plaintiff's request for a preliminary injunction, and the case was dismissed with prejudice.

Counsel for a consumer products company in a lawsuit brought by a competitor arising out of our client's hiring of a former executive of the competitor. The plaintiff's demand for injunctive relief was denied, and the case was dismissed.

Employment Litigation and Investigations

Counsel to numerous companies in internal investigations including related to compliance issues and employee complaints of harassment or discrimination.

Obtained summary judgment in favor of a medical diagnostic testing company, dismissing the plaintiff's claims under federal and state law for alleged pregnancy discrimination.

As trial counsel, received a defense jury verdict rejecting the plaintiff's claims that she was subject to a hostile work environment based on race and national origin, and that she was retaliated against for complaining about the alleged discrimination.

Obtained summary judgment for a telecommunications company alleged to have discriminated against one of its employees on the basis of gender.

Obtained summary judgment for a national retail company, dismissing claims for age discrimination.

Obtained summary judgment for a hospital dismissing claims for age discrimination brought by one of its phlebotomists.

Obtained summary judgment in favor of a college in a claim of race discrimination filed by one of its professors.

Represented a hedge fund defending claims brought by its former CFO for age discrimination. Following an arbitration hearing, the discrimination claims were dismissed.

Representation of numerous companies alleged to have acted in violation of the Americans With Disabilities Act for failing to provide access to disabled patrons.

Insurance Coverage

Lead counsel in successfully representing a risk retention group in an arbitration against its reinsurance provider to recover losses paid by the RRG to settle a medical malpractice claim. Following a multiday hearing, the panel awarded our client the full amount of its reinsurance claim plus interest.

Represented a large multi-national corporation in an action against various insurance carriers who denied coverage for a claim arising out of the company's settlement of a class action.

Represented a high-end fashion magazine in an insurance coverage dispute involving the theft of jewelry following a photo shoot. The action was resolved in the early stages of the litigation with little cost to the client.

Represented a famous female vocal artist in a lawsuit against eight international insurance companies to recover nearly \$10 million in damages for their refusal to pay for losses sustained when a portion of her tour was cancelled.

Prior to filing suit, favorably settled an insurance coverage dispute on behalf of a multi-Grammy award winning artist arising out of the cancellation of a portion of the artist's tour.

Represented a female vocalist in claims against several insurance carriers for recovery of insurance proceeds after numerous shows were cancelled by the performer.

Honors

In 2011, Rob was listed in the Insurance: Advice to Policyholders area by *US Legal 500*, a Legalease Publication. A description of the selection methodology can be found [here](#).

He was selected for inclusion for multiple years in the New York "Super Lawyers" lists, issued by Thomson Reuters. A description of the selection methodology can be found [here](#).

No aspect of these advertisements have been approved by the Supreme Court of New Jersey.

Related Services

Commercial Litigation

Consumer Class Action Defense

Employment and Employee Benefits

Financial Institutions

Employment Litigation

Litigation

Technology

Telephone Consumer Protection Act (TCPA) Defense

Education

Rutgers Law School, J.D.

- with honors
- Rutgers Law Journal, articles editor

Miami University, B.A.

Admissions

New York

New Jersey

Courts

U.S. Court of Appeals–First Circuit

U.S. Court of Appeals–Second Circuit

U.S. Court of Appeals–Third Circuit

U.S. Court of Appeals–Fourth Circuit

U.S. Court of Appeals–Eighth Circuit

U.S. Court of Appeals–Ninth Circuit

U.S. Court of Appeals–Federal Circuit

U.S. Court of Federal Claims

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

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

U.S. District Court–District of New Jersey