



Robert L. Haig

Partner

rhaig@kelleydrye.com

New York
(212) 808-7715

About

Bob Haig's practice focuses on commercial and other types of civil litigation in federal and New York state courts at both the trial and appellate levels. He graduated from Yale College at age 19 and from the Harvard Law School at age 22.

A veteran litigator and proven advocate, Bob has been described in published articles as "one of the nation's foremost commercial litigators," "one of the country's leading commercial litigators," "one of New York's most preeminent commercial litigators," "a brilliant commercial lawyer," "a noted litigator and legal scholar," "a noted expert, author and lecturer in the area of Commercial Litigation," "a great advocate," "a knowledgeable and experienced practitioner" and "indefatigable."

Other published articles have described Bob as "a well-respected, nationally known expert on business and commercial litigation," "a renowned litigator and legal scholar," "a pre-eminent expert on commercial and business litigation," "a highly regarded authority on New York Commercial Law," "renowned New York City commercial litigator Robert L. Haig," "the well-known and highly-respected litigator," "a lawyer's lawyer," "one of the true greats of our profession," and "the incomparable Robert L. Haig."

An article published in 2012 noted that Bob has "held a variety of positions over the past three decades that have placed him at the center of commercial litigation in New York State." An article published in 2017 stated that Bob "is a renowned litigator in his own right and he has had extensive experience in federal courts." Another article published in 2017 stated that, "There are few business litigators in New York who have garnered the respect among judges, outside counsel, and inside counsel as Bob Haig."

Furthermore, an editorial in *The Metropolitan Corporate Counsel* described Bob as "a prolific legal scholar and outstanding practitioner." An article published in 2021 noted Bob's "prodigious ability to rally busy professionals around a common, civic-minded cause." Another article published in 2021 stated that Bob's "contribution to the profession cannot be overstated" and that he "has earned a place in the legal pantheon for his efforts." An article published in 2023 describes Bob as "both a longtime leader of the commercial litigation bar in New York and an experienced editor of legal treatises on commercial litigation."

Bob has been at the forefront of the national and international trend toward the creation of business courts. An article in *The Business Lawyer* in 2020 described Bob as “a driving force behind business-court development in the United States.”

An article in the *New York Law Journal* in 2021 stated that Bob “has been at the forefront of promoting commercial courts for decades and has been an outstanding commercial litigator all his professional life.” Another article published in 2021 stated that “Haig is a nationally recognized expert on business courts” and an article published in 2022 stated that “Robert L. Haig is one of the principal architects of the modern development of business courts in the United States.”

An article in the *NY Business Law Journal* in 2023 describes Bob as “a true giant of the New York bar with positions and honors too numerous to list, who can be said also to be the business lawyer’s best friend, having helped to create business courts in 21 states, including New York, and eight foreign countries.” The *Business Courts Blog* stated in 2023 that “business courts pioneer Robert L. Haig ... may have done more than any other single individual to advance the creation of business courts in the United States.”

Bob was the co-chair of the Commercial Courts Task Force established by Chief Judge Judith S. Kaye in 1995 to create and refine the Commercial Division of the New York State Supreme Court (the nation’s first general trial court devoted exclusively to business litigation).

He is now the chair of the Commercial Division Advisory Council established by Chief Judge Jonathan Lippman in 2013 to advise him on an ongoing basis about all matters involving and surrounding the Commercial Division, as well as to keep him apprised of developments in the business world that may affect the court system.

On November 16, 2008, Bob was inducted as an Honorary Charter Member of the American College of Business Court Judges in recognition of his efforts to develop business courts in New York and many other states and countries. He was also honored in the December 22, 2014 issue of the *National Law Journal* as a “Top 50 Litigation Trailblazer and Pioneer” for his work on business courts.

Bob has written and lectured extensively on various litigation and dispute resolution topics. He is the editor in chief of the two definitive treatises on business litigation in federal and New York state courts: the 16-volume, 19,000-page treatise titled “Business and Commercial Litigation in Federal Courts” and the ten-volume, 13,000-page treatise titled “Commercial Litigation in New York State Courts.”

In addition, Bob is the editor in chief of the definitive treatise on relationships between inside and outside counsel for corporate clients: the seven-volume, 12,000-page treatise titled “Successful Partnering Between Inside and Outside Counsel” (among the authors of this treatise are the Chief Legal Officers of more than 100 major corporations). Bob is also the principal author of the *Corporate Counsel’s Guide*, published by the New York State Bar Association, as well as of numerous articles and book chapters. He has served as a member of the Board of Advisers to Business Laws, Inc.’s *Law Department Management Adviser*, as a member of the Board of Editors of Matthew Bender & Co., Inc.’s *Federal Litigation Guide Reporter*, and as a member of the Editorial Advisory Board of *Today’s General Counsel*.

In 1991, Bob became the only New York lawyer to receive the Award For Excellence in Continuing Legal Education from the Association of Continuing Legal Education Administrators.

On May 7, 1995, the New York State Bar Association's Commercial and Federal Litigation Section presented Bob with the Section's first annual Robert L. Haig Award for Distinguished Public Service. The Section has named this Award after Bob, and presents it in his name each year.

Experience

Commercial

Represented a major chemical company in a case involving claims of breach of a contract for the sale of synthetic gems. During the representation, conducted two separate trials before a jury in the New York County Supreme Court, argued two separate appeals in the Appellate Division for the First Department, and argued another appeal in the Court of Appeals.

Represented a large insurance company in an insurance coverage litigation against the County of Onondaga, NY, relating to an Owners and Contractors' Protective Liability Policy issued by our client on behalf of the county. Argued motions for summary judgment in the Onondaga County Supreme Court and appeal to the Appellate Division for the Fourth Department.

Represented a large international alcohol distributor in a case that included a claim by our client that the defendant had improperly terminated the beer distributorship agreement between the parties. The representation included a preliminary injunction hearing in the U.S. District Court for the Eastern District of New York, an appeal to the U.S. Court of Appeals for the Second Circuit, and extensive arbitration hearings.

Represented a manufacturer in litigation with an investment bank over a contract for investment banking services. Successfully opposed the bank's motion for a preliminary injunction.

Represented the world's largest manufacturer of people-moving products in litigation involving a claim of theft of trade secrets.

Successfully moved for summary judgment on behalf of a foreign bank dismissing an action against the bank on a letter of credit that it had issued.

Conducted a bench trial in New York County Supreme Court involving the value of a lease renewal for a commercial garage.

Represented a hospital in litigation against an operator of commercial parking facilities. The representation included a jury trial in the New York County Supreme Court and subsequent bankruptcy proceedings of the defendant and related corporations.

Defended a corporation and its directors against stockholder litigation in New York and Delaware alleging fraud, breaches of fiduciary duties and market manipulation in connection with a merger in which the client's computer division was merged into a wholly owned subsidiary of the parent company.

Represented a global fast-food company, an automobile manufacturer, and an international oil and gas company in franchise and other litigation.

Represented a mining company in litigation in the U.S. District Court for the Eastern District of New York against a Panamanian shipping company, Canadian freight forwarder, and related parties alleging breaches of contract and tortious acts in connection with a shipment of 2,300 tons of asbestos from Canada to Iran.

Represented various clients in connection with the collection of debts and enforcement of judgments (including prejudgment investigation, disclosure and provisional remedies; post-judgment disclosure and enforcement proceedings; and bankruptcy proceedings).

International

Represented a major airline in an action seeking an injunction restraining Citibank and an Iranian bank from making payments on letters of credit and bank guarantees they issued in connection with a contract entered into by our client and the Imperial Government of Iran shortly before the Iranian revolution in 1979. Successfully argued a motion for a preliminary injunction in the U.S. District Court for the Southern District of New York.

Defended a major chemical company in litigation in the U.S. District Court for the Southern District of New York in which the plaintiff, an Iranian corporation, contended that a shipment of plastics it had purchased was defective. In addition to product liability issues, the case presented various international law questions arising from its pendency during the Iranian revolution.

Trusts and Estates

Represented parties in will contests and objections to probate, as well as in contested accounting proceedings and against charges of self-dealing. This work has included the representation of the personal trust department of a major commercial bank.

Real Estate

Conducted a six-week bench trial in New York County representing a leading financial protection company in litigation with a commercial tenant of 500 Park Avenue over the extent of the completion of construction. The court awarded a judgment of \$2.3 million, which was the precise amount requested. Representation included involvement in the subsequent bankruptcy proceedings of the defendant and related entities.

Conducted two trials (one before a jury and one bench trial) on behalf of separate real estate brokers in New York County seeking payment of real estate brokerage commissions.

Represented an international oil and gas company in Article 78 proceedings challenging determinations by the New York City Buildings Department and Board of Standards and Appeals that the New York City Zoning Ordinance does not permit gasoline service stations and convenience stores to be combined on the same parcel of land.

Represented plaintiffs that instituted litigation against a developer of a proposed 460-unit condominium building in Orange County, NY. Argued Article 78 proceedings and represented the clients in a hearing before the town board.

Defended a major oil company in a litigation brought by homeowners claiming personal injuries and property damage as a result of an alleged gasoline leak from service station premises onto their property. Successfully moved for summary judgment dismissing the plaintiffs' claims and various cross-claims against the client.

Represented construction companies in various construction disputes, including mechanics' lien litigation.

Represented landlords in various disputes and litigations with commercial and residential tenants.

Labor and Employment

Represented a major chemical company in a case involving a claim by its chief labor counsel that he had been required to retire in violation of the Age Discrimination in Employment Act (ADEA). The plaintiff contended that he did not fit within the statutory exemption for permissible compulsory retirement at age 65 for persons employed in “a bona fide executive or high policy making position.” Representation included a preliminary injunction hearing and a trial in the U.S. District Court for the Southern District of New York.

Represented a manufacturer of high-technology products and the world’s largest manufacturer of people-moving products in litigation brought by the Equal Employment Opportunity Commission in the U.S. District Court for the Southern District of New York on behalf of several hundred former employees alleging the denial of severance benefits to laid-off workers because they were eligible for pensions constituted a willful violation of the ADEA.

Defended a mining corporation against a charge of age discrimination.

Represented a newspaper in litigation with unions relating to the delivery of papers.

Antitrust

Represented clients in antitrust litigations, including a major chemical company, an Austrian manufacturer of mining equipment and a CEO of a television industry corporation.

Represented a distributor in connection with California state antitrust and unfair competition claims.

Represented a cement manufacturer in connection with Justice Department and Federal Trade Commission investigations of pricing.

Product Liability

Represented an elevator manufacturer, chemical manufacturer, oil company and other clients in numerous product liability cases.

Argued appeals for the world’s largest manufacturer of people-moving products in the Appellate Divisions for the First and Second Departments in cases involving elevator accidents.

Represented a major chemical company in a case involving acetone explosion that included a jury trial in the U.S. District Court for the Eastern District of New York.

Counseled clients regarding various product liability issues (e.g., labeling, warnings and design of products; insurance; and litigation and settlement strategies).

Defended a major chemical company in a class action alleging defects in swimming pool liners in many of the swimming pools on Long Island, NY. Successfully opposed the plaintiff’s motion for class certification.

Defended a major chemical company in a case involving alleged toxic neuropathy as a result of the plaintiff’s exposure to industrial solvents. Argued an appeal in the Appellate Division for the Second Department.

Defended a major city housing authority against multiple actions brought by employees of a construction company alleging personal injuries as a result of exposure to PCBs.

Represented a major chemical company in toxic tort litigation in the U.S. District Court for the District of Maryland in which numerous plaintiff-employees of a chemical-processing plant sued various chemical manufacturers for personal injuries allegedly resulting from exposure to the chemicals.

Represented an international oil and gas company in product liability actions, including cases relating to the design of service station facilities, equipment (e.g., gasoline pump nozzles and machinery for inflating tires) and products (e.g., tires).

Represented a major chemical company in a lawsuit involving personal injuries allegedly sustained as a result of a fire caused by a consumer product.

Represented a major chemical company in proceedings in the U.S. Bankruptcy Courts in the Southern District of New York and the Southern District of Texas in which our client sought recovery from the operator of a facility for the storage of bulk chemicals in connection with a shipment of 500 tons of a chemical from Texas to Belgium that was contaminated and rejected by the company's customer.

ERISA

Represented the trust administrative committee of a major airline's pilots pension plan in litigation by pilots in the U.S. District Court for the Southern District of Florida alleging violations of fiduciary duties and participation in transactions prohibited under ERISA in connection with making certain investments and loans, alleged failure to diversify investments and the sale of certain properties.

Personal Injury

Supervised the defense of approximately 300 personal injury cases for a major city housing authority, including cases involving building security, elevator accidents, premises liability, automobile accidents and other matters. Representation included successfully arguing an appeal in the Appellate Division for the First Department in a case involving the scope of the "zone of danger."

Represented the world's largest manufacturer of people-moving products in personal injury litigation arising out of an accident at a construction site.

Represented an international oil and gas company in numerous personal injury cases involving premises liability, automobile accidents and other matters.

Tried a personal injury case on behalf of a plaintiff in the Westchester County Supreme Court.

Represented a physician in connection with medical malpractice litigations and other matters.

Represented a major railroad company in connection with personal injury and freight damage claims.

General

Represented the defendant in one of the first "palimony" cases. Successfully argued a motion for summary judgment dismissing the plaintiff's action in the New York County Supreme Court and appeal in the Appellate Division for the First Department. Conducted deposition of the plaintiff that lasted for 46 full days and resulted in transcript of 6,700 pages.

Represented four partners of a major law firm in separate disputes with the firm relating to their

departures from the firm. Also represented a partner of a small law firm in litigation in the U.S. District Court for the Southern District of New York relating to the dissolution of the firm.

Represented national not-for-profit organization in connection with various contractual, labor, trademark and other matters.

Counseled corporate law departments with respect to various litigation management issues such as litigation plans and budgets.

Honors

The Best Lawyers in America® (Woodward/White, Inc.), Commercial Litigation, 2024-2027.

New York Law Journal, Lifetime Achievement Award, 2022.

New York County Lawyers Association, Conspicuous Service Award, 2021.

New York Bar Foundation, Lifetime Achievement Award, 2020.

Puerto Rican Bar Association, Law Firm Diversity Leadership Award, 2017.

New York County Lawyers Association, Boris Kostelanetz President's Medal, 2013.

National Center for State Courts, Warren E. Burger Society, 2009.

Listed in New York *Super Lawyers*, 2006-2025.

Affiliations

New York State Commission on Judicial Nomination, member

New York County Lawyers Association, president, 1992-1994

New York Bar Foundation, president, 2003-2006

New York State Bar Association Executive Committee, member, 1991-1994

New York State Bar Association, Committee on Federal Courts, chair, 1985-1988, Commercial and Federal Litigation Section, founder and first chair, 1988-1990, Committee on Multi-Disciplinary Practice and the Legal Profession, chair, 2000, Task Force on the Evaluation of Candidates for Election to Judicial Office, co-chair, 2018-2019

Association of the Bar of the City of New York, Committee on the Judiciary, chair, 1989-1992, Council on Judicial Administration, chair, 1996-1999

American Law Institute, member

National Center for State Courts Lawyers Committee, member of executive committee

Atlantic Legal Foundation, director

American Bar Foundation, life fellow

New York Bar Foundation, life fellow

Appellate Division, First Judicial Department, Departmental Disciplinary Committee, member, 1995-

2016

Committee for Modern Courts, director

New York County Lawyers Association, Annual Dinner chair, 2007-2019 and 2022-2023

Related Services

Commercial Litigation
Litigation

Education

Harvard Law School, J.D.
Yale University, A.B.

Admissions

New York

Courts

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