

## James R. Levine

Partner

212 468 4985

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### Areas of Focus

Litigation + Dispute Resolution | Commercial Litigation | Employment Litigation, Arbitration and Mediation

“I aggressively leverage every aspect of the law and facts to achieve optimal results for my clients as efficiently as possible.”

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### Overview

**Litigation partner Jim Levine combines ingenuity, talent and experience in litigating commercial disputes for blue-chip global corporations and financial institutions, mid-size businesses and private equity-funded startups.**

A dynamic, aggressive litigator, Jim brings elite legal skills to represent clients in complex commercial litigation. He has particular experience in litigating multilayered contractual disputes, corporate governance disputes, and disputes related to middle-market mergers and acquisitions. The latter involves representation and warranty breaches, representation and warranty insurance matters, earn-out disputes and indemnification claims. With his exceptional credentials, intellect and track record, Jim is known for efficiently producing outstanding outcomes in contentious corporate clashes.

Jim approaches each client and each case based on its unique set of circumstances and his client's goals, adding extraordinary value in the strategies he deploys to strengthen his client's legal position. His ideas influence outcomes, often creating opportunities where none appear to exist. Convincing, creative and strategic, Jim leads a talented team of litigators in asserting his clients' rights and defenses, developing compelling arguments, and achieving results.

Before joining Davis+Gilbert, Jim practiced in the litigation group at Wachtell, Lipton, Rosen & Katz. He previously served as a law clerk to U.S. Supreme Court Justice Sonia Sotomayor during her tenure on the U.S. Court of Appeals for the Second Circuit.

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## Representative Experience

- Defended a global information technology services company against multimillion dollar claims brought in federal court for breach of contract in connection with the termination of a lightning data services and software agreement. Achieved dismissal of the primary claims and resolved the remaining claims.
- Represented a global beauty products company against a multimillion dollar claim brought by a distributor in the New York Supreme Court concerning the alleged breach of an exclusivity agreement. Moved to dismiss the action based on documentary evidence and defended the victory on appeal.
- Recovered over \$13 million in damages for a global localization services company in connection with a \$300 million strategic acquisition. Claims included breaches of representations and warranties against the seller and against an insurer pursuant to a representation and warranty insurance policy.
- Representing one of the world's largest marketing communications conglomerates in connection with multimillion dollar claims for breach of representations and warranties in connection with a \$300 million strategic acquisition, including claims against sellers and against an insurer pursuant to a representation and warranty insurance policy. Defeated multiple motions to dismiss.
- Represented a global financial services institution in a \$45 million trial before a FINRA arbitration panel brought by an investor asserting claims for alleged unauthorized securities trading.
- Represented a global investment bank in a multibillion-dollar nationwide antitrust class action and multidistrict litigation brought by municipalities that issued tax-exempt bonds alleging industry-wide bid-rigging in the procurement of municipal bond investment vehicles. Facing the leading class action plaintiffs' law firms in the country, we obtained a favorable settlement for our client.
- Represented a global healthcare technology company in an AAA arbitration trial regarding a covenant not to compete in a business partner agreement with another software company. Defeated the plaintiff company's attempt to obtain an injunction that would have forced our client to shut down a component of its software, and defeated a motion to vacate in the Southern District of New York.

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## Insights + Events

### Alert

Property and Business Interruption Insurance in Light of COVID-19

October 2, 2020

### Press Mention

Law360 | Wind Farm Owner Says Texas Co.'s Deception Cost It Millions

June 30, 2020

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## Credentials

### Education

Columbia Law School (J.D., 2001)

- James Kent Scholar - 1999, 2000 and 2001
- Writing and Research Editor, *Columbia Law Review*

Princeton University (B.A., *cum laude*, 1996)

### Clerkship

The Honorable Sonia Sotomayor, U.S. Court of Appeals for the Second Circuit

### Bar Admissions

New York

### Court Admissions

U.S. District Court Southern District of New York

U.S. District Court Eastern District of New York

U.S. District Court Western District of New York

U.S. District Court Northern District of New York

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## Associations

Member, Davis+Gilbert Executive Committee