

# Michael C. Marcus

Michael C. Marcus joined the firm of counsel 2008. Mr. Marcus's practice focuses on appellate litigation based upon more than thirty years' experience working at the Appellate Division, First Department.

## HIS APPEALS HAVE INCLUDED:

- Sustained \$5.7 million judgment in breach of commercial lease and shopping center anchor store construction case (*Grandfeld v. Kohl's Dept Store*, 163 AD3d 782 (2d Dept 2018)).
- Successfully defending against application of collateral estoppel on equitable grounds (*Jeffreys v. Griffin*, 1 N.Y.3d 34 (2003));
- Reversing a trial court's dismissal of an ownership claim in a New York LLC, and obtaining remand for valuation of the client's 25% interest (*Chiu v. Chiu*, 38 A.D.3d 619 (2d Dept. 2007));
- Successfully sustaining \$16 million of a \$21 million jury verdict in a personal injury action (*Paek v. City of New York*, 28 A.D.3d 207 (1st Dept. 2006));
- Reversing an award of summary judgment and dismissing an action to recover loans (*Kalt v. Ritman*, 21 A.D.3d 321 (1st Dept. 2005));
- Reversed trial court and vacated award of summary judgment and mechanic's lien based upon adversary's willful exaggeration of the lien amount (*Strongback Corp. v. N.E.D. Cambridge Ave. Dev. Corp.*, 25 A.D.3d 392 (1st Dept. 2006));
- Reversed trial court's finding that premises had been legally surrendered to the landlord (*Ross Realty v. V. & A. Iron Fabricators Inc.*, 42 A.D.3d 246 (2d Dept. 2007));
- Reversing jury verdict and dismissing action seeking to declare that a deed had been forged (*Paciello v. Graffeo*, 32 A.D.3d 461, lv. denied 8 N.Y.3d 802 (2d Dept. 2006));
- Reversing Surrogate's Court verdict and dismissing an accounting proceeding (*Matter of Hufnagel v. Martin*, 23 A.D.3d 186 (1st Dept. 2005));
- Reversing a jury's award of legal fees (*Bellinson Law LLC v. Iannucci*, 116 A.D.3d 401 (1st Dept. 2014)).

Mr. Marcus has in the past served as a court-appointed Hearing Officer on disciplinary matters for the First Department and as a Special Master for pre-argument conferences for the First Department.

Mr. Marcus received his B.A from Adelphi University in 1966 and his J.D., *summa cum laude*, from New York Law School in 1969, where he was a member of the Law Review. Upon graduation, Mr. Marcus was awarded an internship at the New York State Supreme Court, Appellate Division, First Department. Mr. Marcus thereafter served in positions of increasing responsibility at the Appellate Division for the next 33 years. In 1996, the Justices of the Appellate Division designated Mr. Marcus Chief Attorney, a position he held until his retirement in 2002. As Chief Attorney, Mr. Marcus managed the Law Department of the Appellate Division, including its professional staff of thirty-five Court Attorneys and five Supervisors who served the Appellate Division's sixteen Justices, including reviewing approximately 3,500 appeals annually. In 2002, Mr. Marcus entered private practice, where he has specialized in New York State appeals.



## **CONTACT**

Send Michael C. Marcus an [email](#)

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## **EDUCATION**

New York Law School

J.D., 1969 summa cum laude

Adelphi University

B.A., 1966

## **BAR ADMISSIONS**

New York

U.S. District Court for the Southern District of New York

U.S. District Court for the Eastern District of New York