



Jeff Kinkle, Ph.D.

Associate

jkinkle@pbwt.com

Tel: 212-336-2664

Fax: 212-336-2459

Jeff Kinkle is an Associate in the Firm's Litigation department. From 2016-2018, Mr. Kinkle served as a law clerk to the Hon. Jenny Rivera of the New York State Court of Appeals.

Representative Matters

Representing a company in the energy and industrial products sector against claims brought under the Defend Trade Secrets Act ("DTSA").

Representing a financial guarantor in an action against a sponsor and originator of mortgage-backed securities.

Representing a corporate officer in securities litigation.

Representing a leading confections company in a putative consumer class action challenging various statements on labels for chocolate products.

Representing a corporate officer in an action alleging breach of fiduciary duties.

Pro Bono

Representing an abortion provider challenging the constitutionality of two statutes in Oklahoma state court.

Successfully represented pro bono client in securing disability benefits.

Filed amicus brief on behalf of several legal organizations working to exonerate the wrongfully convicted, as well as three exonerees, in New York state court in a case concerning prosecutorial misconduct and oversight.

Filed amicus brief in the Second Circuit on behalf of a national organization for criminal defense attorneys in support of the Federal Defenders concerning the right to counsel.

Education

- Fordham University School of Law (J.D., *cum laude*, 2016)
- University of London, Goldsmiths College (Ph.D., 2010)
- University of London, Birkbeck College (M.A., *with distinction*, 2003)
- New York University (B.A., 2001)

Admissions

Patterson Belknap

- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Southern District of New York
- New York

Languages

- Swedish

Professional Activities

MEMBERSHIP: New York City Bar, International Environmental Law Committee; Swedish-American Bar Association

Publications

February 12, 2021

Securities Market Urgently Needs Federal Insider Trading Law
Law360

June 1, 2020

Updates on COVID-19's Impact on Commercial Appeals
New York Law Journal

December 10, 2018

The Global Reach of U.S. Law Enforcement
New York Law Journal

NY Commercial Division Blog

Patterson Belknap's Commercial Division Blog covers developments related to practice and case law in the Commercial Division of the New York State Supreme Court. The Commercial Division was formed in 1993 to enhance the quality of judicial adjudication and to improve efficiency in the case management of commercial disputes that are litigated in New York State courts. Since then, the Division has become a leading venue for judicial resolution of high-stakes and every-day commercial disputes. This Blog reviews key developments in the Commercial Division, including important decisions handed down by the Commercial Division, appellate court decisions reviewing Commercial Division decisions, and changes and proposed changes to Commercial Division rules and practices. Our aim is to provide you with thoughtful and succinct analysis of these issues. The Blog is written by experienced commercial litigators who have substantial practices in the Commercial Division.

Commercial Division Considers Effects of COVID Executive Orders on Use and Occupancy Payments for Real Estate

September 28, 2020

A recent ruling by the Kings County Commercial Division offers a glimpse into how courts in New York may resolve COVID-19-related disputes regarding leases and real property, as well as how courts may handle situations in which the Governor's executive...

New Oral Argument Protocol at the First Department

August 18, 2020

On August 17, 2020, the Appellate Division, First Department announced that starting in the September term, and continuing until further notice, it will hold oral arguments both in-person at the courthouse and remotely via Microsoft Teams. In-person oral arguments will...

Second Department to Allow Virtual Option for Oral Arguments

August 11, 2020

Starting on September 8, 2020 and continuing indefinitely, litigants eligible for oral argument in the Second Department will be given the option of arguing in person, via Microsoft Teams, or submitting. Notice must be sent to the court and other...

Appellate Division, First Department Expands Mandatory E-filing

July 30, 2020

The Appellate Division, First Department has expanded the categories of appeals subject to e-filing through the New York State Court Electronic Filing System (NYSCEF). Effective July 27, 2020, e-filing is now mandatory for all matters originating in Supreme Court, Criminal...

New York Court of Appeals Resumes In-person Filings

July 23, 2020

On July 22, 2020, the New York Court of Appeals announced that the Court of Appeals Hall in Albany is now open for in-person filings. The Court will continue to accept mailed and electronic submissions as permitted by its rules. ...

Commercial Division Resolves Madoff-related Dispute Pursuant to LLC Law

July 8, 2020

The reverberations from the collapse of Bernie Madoff's massive Ponzi scheme continue to be felt in Manhattan's Commercial Division. On May 20, 2020, Judge Joel M. Cohen issued a decision in Matter of FGLS Equity LLC, No. 157170/2019, 2020 WL...

Updates on COVID-19's Impact on Commercial Appeals: New York Court of Appeals Expands Digital Filings, While the Appellate Division Lifts Moratorium on Filing Deadlines and Hears Skype Argument

June 12, 2020

Originally published May 21, 2020. The progress of taking commercial appeals in New York has been impacted significantly by the onset of the COVID-19 pandemic. Deadlines for perfecting appeals were suspended and oral arguments were canceled. Although Skype conferences were being...

Presiding Justices of the Appellate Division Participate in Virtual Town Hall

June 9, 2020

The COVID-19 pandemic has had considerable effect on appellate practice in New York State's intermediary appellate court, the Appellate Division. The last months have seen historical firsts, such as all four appellate departments hosting virtual oral arguments on Zoom and...

Commercial Division Asserts its Role in Securities Litigation

July 3, 2019

In Hoffman v. AT&T Inc., Justice Ostrager of the Commercial Division recently denied a motion to stay a securities class action in favor of a subsequently filed and more comprehensive action brought in the Southern District of New York (SDNY).[1] ...

Commercial Division Decision Applies Issues Frequently Considered on Motions to Dismiss

April 26, 2019

In considering a motion to dismiss related to a real estate development joint-venture gone bad, a recent decision by Justice Andrea Masley in 3P-733, LLC v Davis (No. 650800/2018 [N.Y. Sup. Ct., N.Y. Cty., April 2, 2019]) highlights several issues...

The First Department Reconsiders Approval of a Class Action Settlement

April 25, 2019

On April 11, 2019, the First Department unanimously affirmed a decision issued by Justice Shirley Werner Kornreich, formerly of the Commercial Division, which denied the plaintiffs' motion for final approval of a class action settlement in City Trading Fund v....

Commercial Division Is Coming to the Bronx

March 22, 2019

At her annual State of the Judiciary speech held on February 26, 2019 at Bronx County Supreme Court, Chief Judge Janet DiFiore announced that the Commercial Division will be expanding to Bronx County, effective April 1, 2019. The Chief Judge...

Commercial Division: Past, Present and Future - New York City Bar Association Program

February 27, 2019

On Monday February 26, 2019, four retired Justices of the Commercial Division, New York County – Justices Ellen Bransten, Shirley Kornreich, Charles Ramos, and Melvin Schweitzer – took the stage at the New York City Bar to discuss the past,...