



## Muhammad U. Faridi

Partner

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Muhammad U. Faridi is a Partner in the Firm's Litigation department. He is a go-to litigator on matters involving disputes relating to breaches of contract and fiduciary duty, commercial real estate, structured finance transactions including RMBS and CMBS, syndicated loan transactions, alleged violations of U.S. sanctions, and international manufacturing supply chain. He has handled a wide variety of litigation matters at various stages—including trials and appeals—for large financial institutions (such as financial guarantors and hedge funds), international manufacturing conglomerates, large pharmaceutical companies, and not-for-profit organizations. His recent victories include obtaining dismissal of a lawsuit related to a business venture focused on ETFs and another lawsuit alleging breaches of subordination and management agreements related to a complex commercial real estate transaction. He has also handled sensitive internal investigations for his clients, including serving as lead counsel for a special committee charged with investigating a corporate executive. His clients have recouped billions of dollars through litigation and out-of-court settlements.

As a result of his work, Mr. Faridi was named a "2018 Rising Star" by the *New York Law Journal* and has been named to *Benchmark Litigation's* "40 & Under Hotlist" of practitioners for multiple years, including as recently as 2021. Mr. Faridi was the recipient of the New York State Bar Association's 2014 Outstanding Young Lawyer Award, highlighting his recognition by the Young Lawyers Section of the association for having rendered outstanding service to both the community and legal profession. Mr. Faridi has also received The Legal Aid Society's Pro Bono Publico Award for multiple years, MFY Legal Services, Inc.'s Partner in Justice Award, and the Brooklyn Bar Association Volunteer Lawyers Project's TD Bank Champion of Justice Award. Mr. Faridi was also recognized as the 2017 Law Day Honoree at John Jay College of Criminal Justice "for his outstanding commitment to the legal community."

Mr. Faridi has also written extensively on commercial litigation in New York. He is the co-editor of *Commercial Division Practice Guide* (Bloomberg), a treatise that seeks to provide guidance on the process of litigation in the Commercial Division of the New York State Supreme Court. Mr. Faridi is also a contributor to the American Bar Association Section of Business Law's annual review of business courts in the United States. Further, Mr. Faridi is a founding contributor to the Firm's blog, [www.NYCommercialDivisionBlog.com](http://www.NYCommercialDivisionBlog.com), covering developments related to practice and case law in the Commercial Division and commercial cases in New York appellate courts. He has also made presentations before, among others, the New York State Judicial Institute.

Mr. Faridi is an Adjunct Professor of Law at Fordham University School of Law where he teaches commercial litigation. Prior to joining Patterson Belknap, Mr. Faridi served as a law clerk to Judge Jack B. Weinstein, Senior U.S. District Judge in the Eastern District of New York.

### Representative Matters

## ***Complex Commercial Litigation***

Representation of a financial institution in a \$2 billion breach of contract and fraud action against another large financial institution.

Representation of a financial institution in a breach of contract and fraud action resulting in a \$995 million settlement for our client.

Representation of a financial institution in a breach of contract action resulting in a \$400 million settlement for our client.

Representation of a financial institution in a pre-suit settlement of claims where our client recouped \$1.1 billion as well as loss-sharing for future losses to our client.

Representation of an international investment conglomerate and holding company in a complex financial fraud action relating to a secured lending facility.

Representation of a hedge fund in enforcement of its right to step-up in the interest rate owed on asset-back securities as a result of defaults by the sponsor in transaction documents.

Representation of a financial institution in a breach of fiduciary duty and breach of contract action related to a venture for ETFs.

Representation of a commercial real estate holding company and a property management company in an action alleging breaches of subordination and management agreements.

## ***Manufacturing Conglomerates***

Representation of a large manufacturer of auto parts in an action alleging wrongful termination of a contract and fraud.

Representation of an international joint venture in three lawsuits related to its manufacturing rights resulting in a multi-million dollar settlement that also recognized our client's rights.

Representation of a large manufacturer of auto parts in an arbitration proceeding alleging inadequate controls.

## ***White Collar Defense and Internal Investigations***

Representation of a large institution in a civil forfeiture action brought by the U.S. Government and several lawsuits brought under the Foreign Sovereign Immunities Act and the Terrorism Risk Insurance Act.

Representation of a special committee of corporate board in connection with an investigation of alleged wrongdoings by the company's founder and CEO.

## ***Bankruptcy Litigation and Creditors' Rights***

Representation of official committee of unsecured creditors in a large Chapter 11 case involving a multi-state real estate developer with liabilities over a billion dollars.

Representation of bondholders of a large bank in Chapter 7 liquidation.

Representation of a large Brazilian bank in a Chapter 15 proceeding stemming from a judicial recovery proceeding in Brazil.

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## ***Pro Bono***

Representation of a union of federal government asylum and refugee officers in five lawsuits challenging the Trump Administration's immigration-related policies (work has been profiled in several publications, such as the *New York Times*).

Representation of refugees from throughout the world (e.g., Honduras, Syria, Pakistan) in U.S. asylum and UNHCR relocation proceedings.

Representation of an abortion provider seeking to void burdensome restrictions on women's right to choose in Oklahoma.

Representation of two Islamic communities in a federal civil rights lawsuit related to the right to build a house of worship (work has been profiled in several publications, such as the *New York Times* and *Wall Street Journal*).

Representation of a class of over 4,000 homeless children in an action against the New York City regarding the right to shelter.

Representation of children with disabilities in a class action against the State of Louisiana alleging violations of the Americans with Disabilities Act.

Representation of a death-row inmate in Missouri for six years in several federal and state court challenges seeking to set aside his death sentence, as well as various organizations such as the National Catholic Reporter and National Governors Association as amici in death-penalty litigations.

Representation of mentally disabled persons in housing court eviction proceedings.

## **Education**

- City University of New York School of Law (J.D., 2007)
  - Editor, *New York City Law Review*
  - First place, ABA Labor & Employment Section Trial Advocacy Competition
  - Recipient, NY State Bar Association Law Student Legal Ethics Award
- John Jay College of Criminal Justice (B.A., *summa cum laude*, 2004)

## **Admissions**

- U.S. Supreme Court
- U.S. District Court, Southern and Eastern Districts of New York
- U.S. District Court, District of New Jersey
- U.S. District Court, District of Columbia
- U.S. Court of Appeals, First Circuit; Second Circuit; Fourth Circuit; Ninth Circuit
- New York
- New Jersey

## **Languages**

- Urdu
- Punjabi

- Hindi

## Select Professional Activities

- Board of Directors, National Center for Law and Economic Justice (2019-present)
- New York City Bar Association
  - Vice President (2019-2020)
  - Chair, Executive Committee (2018-2019)
  - Chair, Capital Punishment Committee (2011-2014)
  - Task Force on Mass Incarceration (2015-present)
- Fellow, Leadership Council on Legal Diversity (2020)
- Board of Directors, Muslim Bar Association of New York (2009-2010)

## Media and Speaking Engagements

### In the Media:

- Law360, *Former Mexico Tim Hortons Operator CEO Ducks Arbitration* (January 29, 2021)
- The New York Times, *Immigration Officers Say Asylum Deal With Guatemala Is Unlawful* (March 6, 2020)
- The New York Times, *Asylum Officers' Union Says Trump Migration Policy 'Abandons' American Tradition* (June 26, 2019)
- NPR, *'Hey, Taxi Boy': A Son on the Lessons He Learned from His Cabdriver Dad* (March 16, 2018)
- NJ.com, *Bayonne Zoning Board approves city's first mosque, a year after being first denied* (March 13, 2018)
- NJ.com, *N.J. Muslims win another one against the bigots* (February 4, 2018)
- NJ.com, *Bayonne settles lawsuit with Muslim group, clearing the way for mosque* (January 31, 2018)
- Law.com, *A Must Guide for Litigators in the Commercial Division* (January 19, 2018)
- N.Y. Law Journal, *Living the American Dream, These Partners Have Seen an Ugly Side* (August 10, 2017)

### Select Speaking Engagements:

- "Litigating Yellowstone Injunctions: Key Legal Considerations and Recent Developments," PLI Webinar (July 7, 2021)
- "Tranched Loan Workouts, Forbearance & Restructuring" Panel, IMN Real Estate Mezzanine & Distressed Debt Virtual Forum (November 18, 2020)
- "Lessons Learned from the 1918 Pandemic: Historical and Legal Framework of the Spanish Flu and How It Relates to Today's Crisis," Historical Society of New York Courts (May 11, 2020)
- "COVID-19's Impact on Commercial Transactions and Disputes," Practising Law Institute (April 17, 2020)
- "Importance of Sharing the Jewish Experience in Immigration Litigation," American Association of Jewish Lawyers and Jurists (March 25, 2020)
- "Religious Land Use and Institutional Persons Act," National Association of Muslim Lawyers (October 13, 2019)
- "Keeping the Faith: The Latest on Mosque Opposition, Zoning Law and Religious Discrimination in New Jersey," New Jersey State Bar Association (October 24, 2018)

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- “Litigation Practice in New York Courts: A Conversation with Leaders in New York Practice,” Albany Law School & Patterson Belknap (June 20, 2018)
- “Combating Terrorism Through Sanctions, Civil & Criminal Liability, and International Cooperation,” American Bar Association Section of Int’l Law (April 18, 2018)
- “Cost-Effective and Time-Effective Commercial Litigation in New York’s Commercial Division,” Bloomberg BNA Webinar (March 26, 2018)
- “A Lawyer’s Struggle to Overcome Barriers and Live by Ideals in the Practice of Law,” Samuel and Anna Jacobs Foundation Keynote Lecture on Law and the Legal Profession delivered at John Jay College of Criminal Justice (2017)

## Publications

- Co-Author, Two-Part Article for *Westlaw* titled “Yellowstone Injunctions: Tolling the Cure Period in New York Lease Disputes”
  - Part 1, August 9, 2021
  - Part 2, August 16, 2021
  - Part 3, August 23, 2021
- Co-Author, “Key Legal Considerations in Obtaining and Defending Against ‘Yellowstone’ Injunctions,” *New York Law Journal* (June 18, 2021)
- Co-Author, “Takeaways From 4 NY Virus-Related Tenant Contract Rulings,” *Law360* (December 21, 2020)
- Co-author, “COVID-19’s Impact on Commercial Transactions and Disputes,” *PLI Current: The Journal of PLI Press* (October 30, 2020)
- Co-author, “2 NY Contract Cases Highlight Limits Of Impossibility Defense,” *Law360*, (September 24, 2020)
- Co-author, “NY Lenders May Face Barriers In Real Estate Dispositions,” *Law360*, (September 21, 2020)
- Co-author, “Commercial Division Sees Uptick, Followed by Flattening in Case Filing,” *New York Law Journal*, (August 19, 2020)
- Co-author, “NY Shareholder Litigation Dismissal Raises Bar For Plaintiffs,” *Law360* (June 3, 2020)
- Co-author, “NY Fraud Ruling Shows High Bar To Prove Director Liability,” *Law360* (March 31, 2020)
- Co-author, “How COVID-19 Will Affect Litigation In NY And Beyond,” *Law360* (March 25, 2020)
- Co-author, “COVID-19’s Impact on Commercial Transactions and Disputes,” *New York State Bar Association* (March 23, 2020)
- Co-author, “Reorganization Of NY Courts Would Ease Inefficiency Issues,” *Law360* (October 8, 2019)
- Co-author, “Declaratory Judgments Do Not Always Protect NY Debtors,” *Law360* (January 22, 2019)
- Co-author, “Unfair Competition and Trade Secrets Damages Limited to Plaintiff’s Losses,” *New York Law Journal* (June 26, 2018)
- Co-author, “Applying The Business Judgment Rule To Director Pay Claims,” *Law360* (April 2018)
- Co-author, “First, Second Departments Split on What Is Considered ‘Documentary Evidence’,” *New York Law Journal* (December 2017)
- Co-author, “When Can LLCs Appoint A Special Litigation Committee?,” *Law360* (September 2017)
- Co-author, “When Is A Working Capital Agreement A Loan? It Depends,” *Law360* (June 2017)
- Co-author, “Court Dismisses Claim Against Chinese Firm Due to Lack of Personal Jurisdiction,” *New York Law Journal* (March 2017)
- Co-author, “First Department Allows \$45 Million Fraud Claim To Proceed Against Patriarch Partners,” Bloomberg BNA’s *Securities Regulation & Law Report* (March 2017)

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- Co-author, "Court Confirms Hedge Funds Did Not Act In Bad Faith, Affirms Large Judgment," *New York Law Journal* (February 2017)
- Co-author, "Long-Arm Jurisdiction In A Post-Daimler Era," *Law360* (January 2017)
- Co-author, *Undoing Time: A Proposal for Compensation for Wrongful Imprisonment of Innocent Individuals*, 34 W. New Eng. L. Rev. 1 (2012)
- Author, *Streamlining Habeas Corpus While Undermining Judicial Review: How 28 U.S.C. 2254(d)(1) Violates the Constitution*, 19 St. Thomas L. Rev. 361 (2007)
- Co-author, *Guantanamo Bay: An Introduction to the Symposium Issue*, 10 N.Y. City L. Rev. (2008)