



Justin R. Bonanno

Partner

New York

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PRACTICES Litigation, Real Estate Litigation, Construction Litigation, Construction Dispute Resolution, Construction, Securities and Shareholder Litigation, Fiduciary Disputes

Justin R. Bonanno is a partner in the Litigation Practice Group in Haynes Boone's New York office.

Justin litigates a broad spectrum of complex commercial business disputes for a variety of clients, many of whom are in the real estate industry, including real estate developers, sponsors, property owners and investors, as well as boards of large cooperative and condominium buildings. His practice focuses on a wide array of real estate and construction disputes involving new developments, renovations, construction delays and defects, property rights, commercial leases, commercial foreclosures, cooperatives, and condominiums.

Justin also has vast experience litigating complex commercial business disputes involving breach of contract, business torts, corporations, partnerships, limited liability companies, corporate governance issues, shareholder disputes, derivative actions, business divorces, securities, and financial matters.

Justin has secured several notable court victories both prosecuting and defending lawsuits in state and federal court on behalf of his clients. Justin views commercial litigation through a business lens. He understands the financial, operational, and legal ramifications for all parties involved. He provides clients with objective, reasoned legal and business advice and judgment, unclouded by the emotions that are bound to arise between adversarial parties. With his clients' business goals top-of-mind, he devises the best path forward – litigation or an out-of-court resolution.

Justin also successfully navigates clients through arbitration and mediation before multiple alternative dispute resolution tribunals, including the American Arbitration Association and the Judicial Arbitration and Mediation Services.

QUALIFICATIONS

EDUCATION

- J.D., Brooklyn Law School, 2000
- B.A., Manhattan College, 1997

ADMISSIONS

- New York

COURT ADMISSIONS

- U.S. District Court for the Southern District of New York
 - U.S. District Court for the Eastern District of New York
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “The Adverse Impact of the Statewide Housing Security and Tenant Protection Act of 2019 on Co-ops,” author, New York State Bar Association *N.Y. Real Property Law Journal*, Winter 2020.
 - “The Housing Stability and Tenant Protection Act of 2019 and How it Effects Cooperatives (And Condominiums),” speaker, New York State Bar Association Real Property Law Section Annual Meeting, January 30, 2020.
 - “Hot Topics Affecting Cooperatives & Condominiums: Cases and Marketplace Developments in the Last Six Months,” speaker, Bar Association of the City of New York, October 30, 2019.
 - “New Tenant Protections Likely to Be Felt in Co-ops and Condos,” author, *Habitat*, July 16, 2019.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- New York State Bar Association
 - Bar Association of the City of New York
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SELECTED CLIENT REPRESENTATIONS

- Recently won a major decision on behalf of a commercial real estate developer/condominium unit owner against a condominium board and its president holding that the board engaged in “bad faith” conduct designed to prevent the unit owner from renovating and leasing its unit. A complete victory, the decision granted full summary judgment in plaintiff’s favor, struck the defendants’ pleadings for “perpetrating a fraud on the court,” held the board in contempt of court, and scheduled a hearing to determine the plaintiff’s damages.
- Secured dismissal of two separate litigations commenced by minority member against managing member of parent company that owned a famed skyscraper in Chicago alleging breach of fiduciary duty, misappropriation of asset management fees, and improper refusal to return minority member’s multi-million deposit after its failed effort to purchase the property.
- Represented numerous large New York City cooperative and condominium boards and shareholders/unit owners in disputes involving construction defects, renovations, access, shareholder rights, board discretion and objectionable conduct.
- Successfully defended multiple sponsors in litigations brought by condominium boards alleging various construction defects and departures from the offering plan.
- Successfully obtained preliminary injunction on behalf of condominium compelling sponsor to repair defective roof and windows in new construction.
- Secured dismissal of petition brought by managing member seeking judicial dissolution of LLC in order to sell LLC’s sole asset, a residential building in Manhattan.
- Defeated motion for summary judgment brought by well-known New York City real estate brokerage firm in an action against sponsor of a luxury condominium in Manhattan seeking

commissions on sale of apartment.

- Obtained summary judgment dismissing action seeking to overturn sale of Times Square hotel in which the court held that the transaction, structured through a contribution agreement to defer taxes, constituted a “sale” and did not require plaintiff’s consent to assign the basement lease.
- Litigated and negotiated settlement of multiple special proceedings brought on behalf of various developers to secure statutory licenses to access adjacent property to implement site safety plans or to make repairs.
- Defended a major New York City law firm in a legal malpractice action arising from alleged advice given in connection with a proceeding before the NASD (now FINRA).
- Represented minority members/partners against managing members/general partners in actions involving mismanagement, self-dealing, and oppressive acts.
- Successfully defended multiple real estate developers and owners of commercial real property in foreclosure proceedings involving financial challenges caused by the COVID-19 pandemic.

Some of these representations were handled by Justin prior to joining Haynes Boone.

AWARDS AND RECOGNITIONS

- Included in *New York Super Lawyers* “Rising Stars” (Thomson Reuters) directories, 2011-2012, 2014