

**Mara B. Levin | Partner**

Labor & Employment

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## **PARTNER, LABOR & EMPLOYMENT | COMMERCIAL LITIGATION**

Mara Levin is a legal adviser, litigator, and seasoned trial lawyer whose clients include domestic and international private and public companies that operate in diverse industries, including real estate, retail and apparel, consumer products and manufacturing, and media and technology, as well as hospitality, travel, and leisure.

Clients rely on Mara to be an engrained part of their business—an outside general counsel who can resolve even the most contentious disputes as well as review contractual agreements and operational decisions through a litigator's lens. As a result of her sound legal judgment, business savvy, and pragmatic approach to problem solving, many of her clients have sought her counsel and representation for decades.

### **Labor and Employment**

For more than 20 years, Mara has helped clients manage their day-to-day employment concerns. She uses her keen understanding of enforceable provisions and recent case law to develop employment policies and practices that withstand judicial scrutiny, should litigation arise. Mara also designs risk management programs for employers and advises on all aspects of the terms and conditions of employment, as well as workforce restructurings, severance agreements, restrictive covenants, exit incentive plans, and all labor audits (including FLSA and I-9). She also advises on matters involving FMLA, disability, and other statutorily protected leaves.

Mara regularly conducts sensitivity training seminars, including anti-harassment,

discrimination and retaliation, the promotion of civility in the workplace, and avoiding gender and implicit biases, for companies of all sizes and across all industries. Those tailored for law firms are CLE accredited.

Mara is regularly retained by employers to litigate all types of claims, including trade secret, restrictive covenant, and statutory violations, and to investigate and defend harassment and discrimination claims. She also represents C-Suite executives in negotiating employment agreements, severance agreements, and restrictive covenants. She regularly litigates before federal and state courts, arbitration venues, the U.S. Equal Employment Opportunity Commission, the NYS Division of Human Rights, and the NYC Commission on Human Rights, as well as other state agencies in which her clients are located.

## **Business Litigation and Real Estate**

As lead counsel for complex litigations in federal and state courts, Mara has obtained successful verdicts in both jury and bench trials. Her extensive business litigation experience includes contractual and fiduciary breaches, fraud, economic torts, and UCC disputes, as well as trade secret, restrictive covenant, and legal malpractice claims.

Real estate owners, developers, management companies, and national retailers often call on Mara for her vast experience in commercial leasing and construction disputes. She regularly serves as outside general counsel to residential and commercial portfolio owners and management companies, as well as cooperative and condominium boards at many of New York City's most prestigious addresses. On the real estate transactional side, Mara reviews management contracts, development agreements, construction agreements, and financing documents, offering prophylactic advice to avoid litigation down the road.

## **Select Engagements**

- Represented an Australian commercial real estate company in the retail leasing and litigation of one of New York City's largest transit hubs.
- Won an important victory before the New York Court of Appeals on behalf of a major national bank regarding the shortening of the limitations period contained in New York's UCC 4-406, which governs a bank customer's duty to discover and report unauthorized signatures or alterations. Obtained dismissal of the customer's complaint at the trial court that awarded summary judgment to the bank on all its counterclaims.
- Successfully defended three owners of sizable residential portfolios and five managing agents of rental properties located in downtown Manhattan in a putative bilateral class action brought by three plaintiffs seeking statutory rent reimbursement for loss of services during Hurricane Sandy.
- Negotiated a favorable settlement on behalf of a *Fortune* 500 manufacturer to resolve a legal malpractice action brought against the client's former counsel, a national law firm, in connection with the firm's representation of the client in a multimillion dollar product liability litigation.

- Represented a children's clothing retail chain and its founders in a class action alleging failure to pay overtime and other violations of state and federal labor laws, including claims for violations of the Family Medical Leave Act, discrimination based on disability, harassment, and retaliation.

## Admissions

- New York
- U.S. District Court - Eastern District of Michigan
- U.S. District Court - Eastern District of New York
- U.S. District Court - Northern District of New York
- U.S. District Court - Southern District of New York

## Memberships

- American Bar Association
- New York City Bar Association
- Association of the Bar

## Education

- University of Miami, BA, cum laude
- New York Law School, JD, magna cum laude

## Recognitions

- AV Preeminent®, listed by Martindale-Hubbell®
- 2023–2024, Employment Law, New York, listed in *Best Lawyers in America*©
- 2012–2018, listed in *Super Lawyers*