



## DORIT UNGAR BLACK PARTNER

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**F**ounding partner Dorit Ungar Black holds a dual law degree and is a native German speaker. Dorit has expertise in international arbitration, and she has practiced in both civil and common law jurisdictions since 1999, including courts in New York, New Jersey, Delaware, Pennsylvania, and Vienna, Austria. She focuses her practice on disputes regarding commercial contracts, complicated financial instruments, business

acquisitions, business torts, commercial leases, and international construction projects.

Among her many accolades, Dorit was most recently named to *Crain's New York Business*' 2020 Notable Women in Law list and the *New York Business Journal*'s 2020 Women of Influence list. She has also been recognized as a Female Powerbroker by *Law360*; a Litigation Trailblazer by *The National Law Journal*; a Rising Star by the *New York Law Journal*; a Woman Worth Watching by *Profiles in Diversity Journal*; a Top Woman Attorney in the New York Metro Area by *Super Lawyers*; and Boutique Lawyer of the Year by *Lawyer Monthly*.

Prior to founding Holwell Shuster & Goldberg, Dorit was a partner in the New York office of Kasowitz, Benson, Torres & Friedman, and before that was an associate at White & Case in New York, and one of Austria's most prestigious law firms, Wolf Theiss & Partners.

### NOTABLE CASES

- Air India in two proceedings before the S.D.N.Y. by foreign investors Cairn and Devas seeking a declaration that the airline is the alter ego of the Republic of India and should be held jointly and severally liable for the amount of two BIT arbitration awards rendered against the foreign state.
- Affiliates of the government-owned investment fund AIMCo, and Wells Fargo Bank, N.A., as securities intermediary, in a \$200 million litigation in the Southern District of New York against AXA Equitable Life Insurance Company arising out of AXA's improper Cost of Insurance rate increase on a certain group of universal life insurance policies.
- U.S. Bank and Wilmington Trust as trustees asserting RMBS putback claims involving hundreds of trusts in the Lehman Brothers bankruptcy.
- Camulos Capital, a U.S. hedge fund, in a dispute with a German subsidiary of Lehman Brothers over a more than a \$100 million repo agreement. Dorit also advised Camulos and a group of hedge funds with respect to their investment in a PIK Loan facility involving a German gun manufacturer, Heckler & Koch.
- MEGA Brands, Inc., a Canadian toy manufacturer, in a series of litigations arising out of MEGA Brands' acquisition of Rose Art Industries, Inc. The representation included litigation with the sellers for claims of fraud, breach of contract, and earnout calculations. Dorit was also involved in MEGA Brands' product liability defense over Magnetix, the key product acquired in the Rose Art deal and the cause for the litigation with the sellers. Dorit also represented MEGA Brands in its lawsuit against its insurers for insurance coverage and indemnification.

- Various companies in the Eurofins group, a publicly traded French conglomerate whose subsidiaries are engaged in, among other things, the biotechnology and life sciences industry. Dorit has represented Eurofins entities in disputes arising out of certain acquisitions and investments in the U.S., as well as in connection with certain products liability related suits.
- Çukurova Holding, a Turkish industrial and commercial conglomerate, in post-judgment and appellate proceedings before the S.D. N.Y. and the Second Circuit, respectively, relating to the enforcement of a \$932 million arbitral award against Çukurova.
- The heirs to the Herzog Collection, the largest private art collection in Hungary prior to World War II, in a lawsuit against the Hungarian government and its state-owned museums and instrumentalities seeking the return of more than 40 artworks with an estimated combined value of more than \$100 million.
- A Japanese pharmaceutical company in an ICC arbitration arising from its acquisition of a Mexican company of pharmaceuticals and over-the-counter products.
- A private equity fund focused on investments in the Middle East/North Africa markets and its manager in an ICC arbitration brought by one of the fund's four shareholders who was expelled from the fund and had its investment divested after failing to timely make a capital contribution.
- Duane Reade, the largest retail drug store chain in the New York metropolitan area, in cases involving disputes with commercial landlords and various vendors.
- A commercial landlord in its dispute with its tenant, the Chrysler auto dealership in Manhattan.
- The owner of one of Manhattan's most prestigious steakhouses in a dispute with its manager.
- Comcast Corporation in an antitrust class action brought by a putative class of two million subscribers.

## WRITINGS

- “The Shifting Availability Of Section 1782 In Support Of Private Foreign Arbitrations,” *Mealey’s International Arbitration Report* (November 2020) (co-authored with Andrei Vrabie)
- “Arbitration And Class Action Waivers In Public Offerings,” *Geschriften vanwege de Vereniging Corporate Litigation* 2005-2006 (Kluwer, 2006) (co-authored with G. M. Kurtz and D. P. Baumstein)
- “The New Austrian Arbitration Law and The Federal Arbitration Law in the United States – A Comparison,” *Mealey’s International Arbitration Report* (May 2006) (co-authored with Dr. Christoph Liebscher)
- “Civil Litigation In The U.S. – A Primer For The Non-U.S. Litigant,” *Praxisschrift “Innovation und internationale Rechtspraxis – Rechtsprobleme entstehen nicht im Hörsaal”* zum 50. Geburtstag von Prof. Dr. Wolfgang Zankl (facultas.wuv Universitätsverlag, 2009) (co-authored with Daniel P. Goldberg)
- “Ensuring a Cost-Efficient Arbitration,” *Executive Counsel Magazine* (August/September 2012 issue) (co-authored with Richard J. Holwell)
- “Electronic Discovery in International Arbitration,” *International Arbitration in the United States* (Wolters Kluwer, 2018) (co-authored with Delyan Dimitrov)

## EDUCATION

- Columbia Law School (LL.M., 2003)
- University of Vienna Law School (Mag.iur., 1999)

## **BAR AND COURT ADMISSIONS**

- New York
- Austria (Bar Exam)
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York