

Samuel J. Fishman

Associate

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Samuel Fishman is a skilled litigator and counselor to clients that range from early-stage startups to Fortune 500 companies. His practice is primarily focused on representing clients in complex commercial matters in both state and federal courts as well as in various modes of alternative dispute resolution. He also has experience litigating high-stakes employment disputes.

Sam is a member of the Business Litigation & Dispute Resolution Practice Group and Sports & Entertainment Industry Team.

Representative Experience

- Obtained dismissal of \$100 million M&A fraud lawsuit regarding private equity investment on summary judgment in the Southern District of New York on behalf of health care consulting firm, affirmed on appeal by the Second Circuit.
- Obtained over \$3.5 million in AAA arbitration awards for *Fortune* 200 company in arbitrations for breach of commercial loan agreements.
- Key member of legal team that obtained summary judgment in New York Supreme Court, Commercial Division on behalf of private credit fund in commercial foreclosure action for default on a \$14.1 million loan.
- Obtained dismissal of \$8 million civil RICO and business tort litigation in the Eastern District of New York on behalf of real estate companies and high-net-worth individual.
- Negotiated favorable settlement of breach of contract and fraud litigation on behalf of publicly traded human capital services company in New York Supreme Court.
- Negotiated favorable settlement of business tort and breach of contract litigation on behalf of national skilled nursing company in the Central District of California.
- Representing Susan Newman and Nell Newman, daughters of the late actor Paul Newman, in lawsuit against Newman's Own Foundation for breach of fiduciary duty and constructive trust in Connecticut

Superior Court.

- Representing publicly traded fashion company in M&A post-closing earnout dispute in the Eastern District of New York.
- Representing *Fortune* 300 company in employment discrimination lawsuit in the District of Rhode Island.
- Representing international food packaging manufacturer in executive compensation dispute in the District of New Jersey.

Affiliations

- Member of New York State Bar Association Commercial & Federal Litigation Section
- Member of Sports Lawyers Association

Presentations and Publications

- “The Impact of the Pandemic on Commercial Litigation in New York,” *New York State Bar Association Commercial and Federal Litigation Section Newsletter*, Vol. 28 No. 1 (2022)
- “Gambling on compacts,” *SportBusiness* (April 5, 2022)
- “Pulp Fiction: The ‘Food Court’ Squeezes Statutory Damages Request by Class of Defrauded ‘Joint Juice’ Health Supplement Buyers,” *JD Supra* (September 2, 2022)
- “Witness Testimony: Preparing Witnesses to Testify at Trial Checklist (NJ),” *Practical Guidance* (2022)

Sectors

- [Digital Assets, Web3 & NFTs](#)
- [Sports & Entertainment](#)

Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Litigation](#)

Education

- UCLA School of Law (J.D., 2021)
 - Moot Court
- University of Southern California (B.A., magna cum laude, 2015)
 - Major: Philosophy, Politics, and Law
 - Minor: Cinematic Arts
 - Renaissance Scholar; Presidential Scholar

Admissions

- New York



FOLEY & LARDNER LLP

- California
- New Jersey
- U.S. District Courts for the Southern and Eastern Districts of New York
- U.S. District Courts for the Central and Northern Districts of California
- U.S. District Court for the District of New Jersey
- U.S. Court of Appeals for the Second Circuit