

LAWDRAGON

Litigating on Their Own Terms: Slarskey Celebrates 10 Years as an Innovative Boutique



Adam Hollander, David Slarskey, Renee Bea, Ricky Weingarten and Evan Fried. Photos by Nick Coleman.

By Emily Jackoway

When noted litigator David Slarskey founded his eponymous litigation and dispute-resolution boutique Slarskey in 2014, his goal was to create an entrepreneurial law practice driven by curiosity, creativity and an authentic interest in its clients – exploring not only how litigation can be won, but how it can be leveraged. Slarskey emphasizes that his aim was never to “take over the world.” Rather than rapidly increasing the size of his new firm, the firm focused from the outset on pursuing each client’s goals on a deeply individual basis. After 10 years of substantial wins and organic growth, during which the firm brought top-notch talent on board and became a significant player in the New York legal market, that mindset remains the same.

It's a vital perspective for Slarskey and his colleagues. The firm's growth has been intentional and selective, driven by client needs and the ability for new team members to add value, rather than pursuing growth for its own sake. Scrappy, dexterous and free-thinking, the firm's attorneys are choosy about their team and their cases. "We are doing good work for clients who appreciate that work and will pay for it. We take value where we create value," Slarskey says.

"We are not driven solely by ambition," partner Adam Hollander adds. "Although we are all ambitious people with impressive backgrounds, what motivates us isn't primarily making a big, high-profile splash. We focus zealously on securing good results for our clients, and cultivating respect and credibility with courts, adversaries, and co-counsel."

The firm's attorneys often carry a contrarian view on litigation: They try to reframe clients' attitudes, emphasizing that litigation can be an asset that adds value rather than an expensive burden. "How do you take valuable rights and use the litigation process to your advantage, whether that's monetary or strategic or operational?" asks Slarskey. "We don't necessarily come in asking, 'how do we do this faster and cheaper.' We come at problems by looking at how the client measures value and how we can deliver. That's true whether we are representing plaintiffs or defendants in the case."

That selective, client-focused strategy has paid off. In the last decade, the firm's lawyers have achieved significant wins on both sides of the "V," with a sophisticated commercial litigation practice that focuses on representing businesses and individuals large and small. From creating groundbreaking law to resolving a business divorce at America's first fine dining restaurant, to achieving a \$10M win for an international law firm, to securing a multimillion-dollar recovery for a family whose personal data was stolen by venture capitalists – time and again, they have levied the flexibility of their boutique size to take on compelling, meaningful cases. In doing so, they have achieved numerous outsized results for their clients.

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So, while the firm doesn't intend to take over the world, they won't rule it out. Over the last decade, the firm has built a name for itself, as a group of formidable litigators. "When judges or adversaries see our name on a brief, we want them to think that there is something unusual about the case: factual or legal issues that require nuanced understanding and credible advocacy. Or simply that the client has good taste in the lawyers they have selected, and that there will be excellent – if not always traditional – lawyering," Slarskey says. "We want to make them think and question."

LOOKING BACK: TEN YEARS AGO

After spending the first decade of his practice in the litigation department of an "A List" firm, Patterson Belknap Webb & Tyler, Slarskey realized that he wanted a more entrepreneurial practice. In 2014, he decided to hang out his shingle not only to litigate, but to help identify and

develop litigation-based opportunities for investors or companies who might not otherwise have the perspective of an experienced litigator.

Not long after, he met Evan Fried, who was on an opposite track: Fried was looking to transition out of the litigation funding world and back into being a litigator. At the time, he was a partner at 1624 Capital, a litigation funder focused on intellectual property disputes. The duo realized their experiences mirrored each other in some ways and dovetailed in others – a perfect pairing. Fried came on board, and their strong backgrounds in evaluating claims and litigating them led to an increased focus on active litigation, while still acting as funding advisors.

Next to come on board was noted business and IP litigator Renee Bea, who was with Quinn Emanuel before starting her own California-based firm in 2013. Bea, a law school classmate of Slarskey's, reconnected with him at a reunion, and solidified the relationship when she returned to New York. She joined the firm in 2020, bringing to bear her own experience in building a boutique practice that more than holds its own against Big Law adversaries.

Ricky Weingarten joined the firm as an associate in 2021 and was promoted to partner in January 2024. Weingarten brought another facet to the practice: For the first several years of his career, he worked for the City of New York defending the city's various agencies, largely in civil rights lawsuits. He then clerked for a magistrate judge in the Eastern District of New York before moving to private practice, with a focus on financial services litigation.

Finally, partner Adam Hollander joined the firm in March 2023, coming from the partnership at Bernstein Litowitz. He brought to the team his background on the plaintiffs' side of high-profile securities class actions and corporate governance disputes, white-collar matters, and more, and was drawn to the chance to build the firm's culture and practice while continuing to pursue claims on behalf of investors and against fraudsters and other corporate wrongdoers.

Together, the five partners bring a diverse set of skills to the firm's toolbox, allowing them to take on a wide variety of matters. For now, the firm is rounded out by four associates and counsel and two staff members.

DEFINING MOMENTS, FROM BUSINESS DIVORCES TO BIG PHARMA

The original vision of the firm – entrepreneurial lawyers as practical business advisors – has remained a cornerstone. Recently, Weingarten and Slarskey represented a cloud-based tech company in the midst of a business relationship termination. With current and future business profits at stake, Weingarten says, the company did not want to reach the point of litigation. "While we're litigators first, in that scenario it wasn't going to provide the value for the client and the client didn't want it," he explains. Instead, the partners advised the company throughout the process of the relationship dissolution – keeping in mind the client's goals first.

It's a question of client service, says Bea. "We take the time to truly understand the client's business and understand the obstacles in front of them – whether it's a contract, a litigation, or

another type of dispute – and work creatively in how we approach it. We’re not looking to become a 100-person law firm, precisely because it dilutes our ability to take that in-depth, bespoke approach for every case.”

A clear result of that strategy is seen in one of the firm’s defining cases: representing partners in the historic Delmonico’s Steakhouse, in a fiercely combative business divorce case. Fried and Slarskey led the case, coming in on the eve of trial in an eight-year litigation process and shaking up the entire framework.



"We're curious litigators." – David Slarskey

The case was originally a federal trademark lawsuit centered around the split of the Delmonico’s four-partner ownership group, with one side being a pair of brothers who had been frozen out of the decision-making process. When the firm was brought in to represent one of the brothers (who ended up in their own conflict), the team identified a new approach: changing the litigation from a federal trademark dispute to a state court business divorce case – ultimately, the strategy brought the brothers back together, and separated them from the co-owners they could not work with. The move from federal to state court “converted it from this large iceberg of a case into something more strategic and more of a street fight,” says Fried.

After an expedited dissolution proceeding in state court, the brothers were awarded ownership of the restaurant, \$2M in cash and a judgment of \$1.7M against the two former business partners. “We understood the need to think creatively about the law, and reposition the case in a way that was going to achieve our client’s objectives – and we executed on that strategy.” says Slarskey.

“I think nine out of 10 firms would have kept it [in federal court] and run a traditional playbook,” says Fried. “We had to think about how to bring this whole thing to a head strategically because that’s what was ultimately going to be best for our client.”

The dissolution order charted new law, allowing the clients to buy out the restaurant. But when they didn't receive an accounting for past financial abuses, the firm appealed their own victorious decision and obtained even greater relief for the partners.

The "small but mighty" team has never shied away from going up against heavyweight adversaries, or stood in the way of obtaining meaningful results for clients. In a case that concluded in January 2024, Fried, Slarskey and associate Keith Dore represented the New York office of 600-strong international law firm Mishcon de Reya against fellow international law firm King & Wood Mallesons and ex-client ChanBond. After Mishcon New York represented ChanBond on contingency for nearly four and a half years, the firm closed its New York office, and the attorneys litigating the case moved to KWM. But the outgoing lawyers did not inform the remaining Mishcon team of ChanBond's eventual \$125M settlement – or the resulting contingency fee. When Mishcon discovered the settlement, KWM and ChanBond refused to pay the prior firm its share of the fee. "The case presented complicated, novel issues, including how to treat litigation proceeds when a portion of that the fee is pledged to a litigation funder," explains Fried.

Authenticity is another core part of the firm's foundation, which goes back to being selective with cases and clients. "Our firm often takes on fights because we just believe it's the right thing to do and the right side to be on," says Bea. Slarskey agrees, explaining, "We're curious litigators. I love that my practice spans from real estate, to royalty collections and licensing disputes, to business divorces and beyond. Our size, and deep, varied expertise gives us a lot of flexibility to handle smaller disputes that interest us, or clients we want to help – but also to take on the bigger, more complex disputes."

One example resolved several years ago, when Bea, Slarskey and team represented Chris and Hugh Hempel, whose daughters were diagnosed with a rare degenerative pediatric disease. After the Hempels and their doctors created a protocol providing relief for the children, venture capitalists took notice. In 2016, the Hempels learned that their confidential information was used to create a start-up that was sold to international pharmaceutical company Mallinckrodt. The firm stepped in, and the legal team developed a case with trade secrets and misappropriation claims. Ultimately, the Hempels received a multimillion-dollar settlement – litigating against two of the largest law firms in the country – even through the key defendant filed for bankruptcy in the middle of the lawsuit.

It's a result the firm's team was thrilled to achieve on behalf of its clients. "We're fortunate to have a meaningful and successful practice that includes serving clients who might not otherwise find their way to a legal team with the credentials and experience we have," says Bea.

A COHESIVE TEAM

The firm leadership is just as selective with talent as with cases. Every member of the firm is a valued and vital player, with associates taking on hard-hitting roles. Dore, for instance, joined the firm not long before the Mishcon case took off. Soon, he examined his first witness – cross-examining a junior partner from KWM, an international law firm. "That's what we value at this

firm,” Fried says. “We were extremely proud to see Keith succeed and take that next step from being a support player to being a leader.” One of the firm’s other associates, Kimberly Grinberg, has similarly taken examination roles in trials and arbitrations.

Within a year of joining the firm, the partners say, all associates will have examined witnesses or stood up in front of arbitrators. “You’re going to show up and be thrown into the deep end,” Hollander often tells prospective associates. “But we’re not going to do it if we don’t believe in you. You’re going to feel like you’re in over your head at first, but you have the support of your colleagues throughout, and that’s how you’re going to grow.”

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Even when the pandemic hit in 2020, associate training remained a top priority. The firm decided to curtail operations and pivoted to focus on pro bono work for several months. The partners made phone calls to NYU and Cardozo School of Law to bring on law students who were shut out of summer associate positions when the Big Law firms went on hiatus. It speaks volumes about the values of the firm, Fried says – not only because it chose to focus on pro bono work, but because it developed and executed on a creative, productive path during a time of uncertainty. That work has continued through the firm’s Pro Bono Program chaired by associate Grinberg.

That culture of respect and generosity extends throughout the firm. Bea points to the inherently unpredictable, pressure-inducing circumstances of a litigation practice. “Before I joined, it was hard to imagine a firm like ours could actually deliver on promises to provide a workplace where your colleagues are insanely intelligent and capable, and marry that with a culture that nonetheless respects who every individual at the firm is outside of the office and intentionally provides space for that,” she says. But it turned out to be possible, because of the commitment each partner makes to that goal. An active life outside the office is celebrated – in fact, Slarskey recently co-wrote, directed and acted in an original play, “Schmaltz!,” at New York’s Frigid Festival. Slarskey counted the endeavor as an extension of his professional development – “We’re storytellers in the courtroom!” – and the firm supported the venture, turning its office into a rehearsal venue in the off-hours.

“Our personal lives inform our work lives, which permeates the way we run our office and practice law,” says Hollander. “Creating that space enables us to bring more perspective and stronger advocacy on behalf of our clients.”

TEN YEARS AHEAD

As the firm celebrates 10 years, its lawyers appreciate the significance of the milestone, which many boutique firms fail to reach. And they are committed to maintaining the same quality of

litigation while continuing to bring on more complex clients, pursuing the same organic, sustainable model of growth that has driven the firm's first decade.

In current matters, for example, Fried is now an active part of the counsel team for Chinese dissidents in an important case against Yahoo. In 2008, the media giant created a \$17.3M Human Rights Fund intended to support Chinese dissidents who were imprisoned following information leakages. The case alleges that Yahoo was complicit in the misuse of funds going toward the pool; they say only a small percentage of the money made it to the intended beneficiaries. The case is expected to go to trial this year.

Hollander, meanwhile, is representing a putative class of investors pursuing securities-fraud and market-manipulation claims against Credit Suisse. "It's not a straightforward case, so not one where running the standard securities class action roadmap would necessarily be effective," he says. "We look forward to similar opportunities in current and future cases to represent harmed investors and hold corporate wrongdoers accountable when abuses take place."

Going forward, Slarskey says that he hopes the firm will be recognized by the judges it appears in front of and the law firms they litigate against, as a tenacious, ethical, thoughtful group who honors the profession and efficiently delivers for its clients.

"We are happy warriors," he says. "For us, measuring success is finding good cases to litigate, finding clients who appreciate the work we're doing, and achieving the results that allow our clients to get to where they need to be. Do good work, and more work comes through the door."

He adds that success is also measured by the ability to contribute to the community, while as Bea says, "upholding the integrity of the profession that we all valued when we decided to become lawyers."

Looking ahead to the next decade, the goal still isn't to take over the world – just their corner of it, where they aim to achieve incredible successes for the clients they choose, in the communities they want to serve.

Exactly where they want to be.



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