



## Sean J. Kirby

Associate

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### PRACTICE AREAS

- Labor and Employment
- Litigation

### OVERVIEW

Sean Kirby is an associate in the Labor and Employment Practice Group and a member of the Business Trial Practice Group in the firm's New York Office.

### Areas of Practice

Mr. Kirby has experience representing management in employment discrimination and wrongful discharge cases; wage and hour audits; restrictive covenants and employment agreements; and breach of contract cases in judicial and arbitral forums.

Mr. Kirby also has experience representing clients in a variety of general commercial and financial disputes including breach of contract, securities and accounting fraud. In addition, Mr. Kirby has experience representing clients in disputes over copyright and trademark infringements.

### EDUCATION

- J.D., Fordham University, 2006, *cum laude*
- B.A., LeMoyne College, 2001, *cum laude*

### CLERKSHIPS

- Interned for the Honorable Kevin T. Duffy, U.S. District Court for the Southern District of New York

### ADMISSIONS

- New York
- New Jersey

### EXPERIENCE

Mr. Kirby recently assisted in the successful defense of a coordinating entity for a global network of accounting firms against a \$178 million dollar accounting malpractice claim in Florida state court. Mr. Kirby also assisted in the representation of a satellite telecommunications company in a breach of contract action, securing a net verdict of \$129.9 million from a Maryland federal jury on their behalf.

### MEMBERSHIPS

- Member, New York State Bar Association

**ARTICLES**

- Condo Hotels As Securities, *HotelExecutive.com*, July 1, 2008
- Arbitrating Hotel Management Agreement Disputes: Beware of "Arbigation", *Hotel Executive.com*, March 1, 2008

**Corporate & Securities Law Blog Articles**

- "Second Circuit Vacates Dismissal Of Securities Fraud Claims Holding That Mutual Funds' Alleged Misrepresentations Regarding Payment Of Transfer Agent Fees Were Material", March 1, 2010