



Andrew S. Holland

Partner

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Andrew Holland focuses his practice on various aspects of business litigation, and defends federal civil rights lawsuits, business tort allegations including fraud, breach of fiduciary duty, defamation, and violations of the Texas Deceptive Trade Practices Act. Andrew also defends professional negligence claims, including those brought against engineers, real estate brokers and agents, and accountants. Andrew approaches each new matter with an overall strategy that assumes the case will go to trial and prepares his cases to put his clients in the best position possible if the matter must ultimately be litigated to a judgment. Andrew has tried cases to verdict before juries in state and federal court and has achieved countless successes for his clients in dispositive motion practice, from pre-answer dismissal through summary judgment.

Andrew began his career as an assistant district attorney for six years in the appeals bureau of the Bronx County District Attorney's Office in New York City. During his nearly 20-year career, Andrew has litigated a variety of matters ranging from negligence to real estate quiet title actions, representing municipalities and elected officials against civil rights and other federal statutory claims, as well as employment disputes, and defense of construction companies against construction-related actions. Andrew's experience in commercial litigation matters includes contract disputes, fiduciary duty breach claims, shareholder and member derivative actions, and judicial dissolution proceedings, as well as creditor-side representation in contested Chapter 7 and Chapter 13 bankruptcies. Andrew also has represented clients against breach of warranty claims and allegations related to the sale of commercial machinery and commodities.

Commercial Litigation

Andrew represents companies involved in various business disputes, which have included breach of contract, breach of warranty, claims under the Uniform Commercial Code, disputes related to non-compete provisions in employment agreements, and fraud. He has handled such matters on behalf of both plaintiffs and defendants and has represented

Services

- Appellate
- Commercial Litigation
- Complex Tort & General Casualty
- Construction
- Contractual/Extra-Contractual Liability Litigation
- Product Liability, Prevention & Government Compliance
- Professional Liability & Services
- Directors & Officers

clients involved in such disputes prelitigation and as parties to lawsuits. Andrew has represented parties in shareholder derivative litigation and suits against former corporate directors and officers alleging waste and malfeasance. He has represented manufacturers of industrial equipment and crude oil distributors against breach of warranty claims. Andrew also has represented companies in employment-related matters, including the enforcement of non-compete provisions and defending against wrongful termination of employment claims.

Professional Liability

Andrew represents professionals who have been accused of negligence, including engineers, architects, real estate agents and brokers, and accountants. Andrew also has represented physicians and dentists before disciplinary boards.

Federal & State Civil Rights and Employment Law Defense

Andrew has defended numerous municipalities, counties, public officials and private entities facing accusations under various federal civil rights statutes and the New York State and New York City Human Rights Laws. He has represented public entities facing claims pursuant to 42 U.S.C. § 1983 for First Amendment retaliation, police brutality, wrongful arrest and other official misconduct, as well as under the Americans with Disabilities Act and various other federal civil rights statutes. He also has represented companies sued under Title VII of the Civil Rights Act of 1964 and the Uniformed Services Employment and Reemployment Rights Act. Andrew has successfully represented employers sued by former employees in state and federal court for claims of wrongful termination and other claimed violations of labor statutes and collective bargaining agreements.

Insurance Coverage

Andrew is called upon frequently to counsel clients, including insurance carriers, on various matters related to insurance coverage. He has handled insurance coverage–related claims in declaratory judgment actions and other litigation, as well as in a non-litigation posture in matters involving liability coverage, casualty insurance and claims under ERISA.

Appellate Practice

Andrew has extensive experience as an appellate attorney, with dozens of reported appellate decisions to his name from all four Judicial Departments of the New York Supreme Court, Appellate Division; the New York Court of Appeals; and the U.S. Court of Appeals for the Second Circuit. He has briefed and orally argued numerous appeals as lead appellate counsel in each Department of the New York Appellate Division as well as the Second Circuit and is frequently consulted to give opinions as to procedural and substantive viability of appeals from adverse orders and judgments. Andrew has had significant success as appellant, frequently obtaining reversals and modifications of adverse determinations from trial-level courts.

Education

- Rutgers School of Law (J.D., 2005)
 - Staff Editor, Rutgers Law Record

- William Paterson University of New Jersey (B.M. Jazz Performance, 2002)

Bar Admissions

- New York
- New Jersey
- Texas

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of Texas
- U.S. District Court, Western District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Northern District of Texas

Professional Affiliations

- New York State Bar Association
- DRI: The Voice of the Defense Bar