



David A. Shargel

Partner

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About David

Dave Shargel is a business litigator with extensive experience representing clients in complex commercial disputes and arbitrations, and has built his practice representing clients in a wide range of business sectors and circumstances. His experience includes litigating contract disputes, shareholder disputes, business valuation, insurance coverage, civil RICO, and fraud. He also handles real estate, aviation, construction and employment disputes, as well as matters involving constitutional law, such as under the Commerce and Due Process clauses. Dave has also handled the defense of consumer class actions, such as those involving the Americans with Disabilities Act (ADA) and food labeling. Apart from his business litigation work, Dave also has significant experience in internal investigations and responses to criminal and regulatory inquiries.

Additionally, as co-head of the firm's ePractice Department, Dave assists firm attorneys with eDiscovery best practices and guidance, as well as case-specific discovery strategy and management.

Dave devotes his pro bono efforts to clients in a variety of subject matters, including asylum, landlord-tenant disputes in New York City Housing Court, and assisting injured combat veterans in connection with disability benefit proceedings. He also serves as deputy to the Village Attorney for the Village of Rockville Centre, New York.

Recent Notable Matters

FTX US Derivatives — advising on various regulatory and commercial matters

International Travel Agency — obtained dismissal of claims alleging company website's non-compliance with Americans with Disabilities Act

Financial Technology Firm — defended against former managing director's fraudulent inducement and labor law claims in AAA arbitration

CARES Act Loan Programs — advising lenders and borrowers on documenting and other aspects of the loan programs offered under the US Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

Real Estate Investment Firm — defending against claims of breach of fiduciary duty before the Delaware Chancery Court*

Plumbing Fixture Manufacturer and Distributor — buyout proceeding under Section 1118 of the New York Business Corporation Law*

Cosmetics Company — defending against claims alleging usurpation of a corporate opportunity*

Securities Firm — defending against claims by a former employee alleging breach of contract and fraud*

Seafood Distributor — defending company and its owners against claims brought by the estate of a deceased partner*

Private Equity Fund — several actions involving a Brazilian cargo airline

Financial Services Company — dispute concerning the availability of D&O insurance coverage

Private Equity Fund — derivative action involving a California aerospace company

FINRA Member Firms — various types of FINRA arbitrations, including employee and industry disputes

* Work completed prior to Bracewell

Publications and Speeches

"As The World Churns: Litigating Force Majeure, Impossibility, and Other Issues," Association of Corporate Counsel NYC Webinar, June 8, 2023.

"Valuing a Business," *Commercial Litigation in New York State Courts*, 2020 edition.

Education

Brooklyn Law School, J.D.
2005

Kenyon College, Bachelor of Arts
1999

Noteworthy

Lawdragon Inc., *Lawdragon 500 Leading Litigators in America*, Commercial Litigation, 2024

Brooklyn Law School, *Brooklyn Law Review*

U.S. District Court for the Southern District of New York, Law Clerk

Bar Admissions

New York