



MICHAEL P. ZWEIG
Partner

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Michael P. Zweig has a diverse national litigation practice with an emphasis on complex litigation, business torts, entertainment, employment and advertising/media matters.

Notable corporate representations have involved clients from a wide variety of industry groups, including media and advertising, financial services, film, television and theatre, insurance and insurance brokerage.

Mr. Zweig has litigated and arbitrated cases throughout the United States, frequently through trial, and has represented numerous clients in high profile, high-stakes litigation involving false advertising and deceptive trade practices, shareholder, partnership and accounting disputes, contract, right of publicity, defamation and a wide variety of employment-related litigation (restrictive covenant/trade secret litigation, discrimination, harassment).

In March of 2001, he served as counsel to the S.D.N.Y. Special Master with respect to the settlement of the Austrian Holocaust Litigation.

Earlier in his career, Mr. Zweig served as special counsel to the New York State Assembly on Environmental Conservation, coordinating New York State's Love Canal investigation. He also conducted extensive legislative hearings concerning the dumping of hazardous substances throughout western New York State.

Mr. Zweig has also been a speaker on issues relating to media and advertising, class actions, email and electronic discovery, and crisis public relations, at continuing legal education seminars sponsored by the American Bar Association, the Bureau of National Affairs, the UCLA Law Symposium and the Association of the Bar of the City of New York.

Practice Areas

- Business Litigation
- Employment and Labor
- Advertising and Promotions
- IP and Entertainment Litigation
- Marketing and Advertising Regulatory
- Privacy

Representative Experience

- Secured historic \$5 million settlement for filmmaker Woody Allen in his right-to-privacy lawsuit against American Apparel, Inc., for misuse of his image. The settlement was the largest amount paid in the history of the New York statute (*Woody Allen v. American Apparel, Inc.*).
- As a lead counsel in a landmark antitrust and race discrimination case (*Rowe v. William Morris*), secured summary judgment dismissal of all claims, affirmed by the Second Circuit.
- Lead counsel in a summary judgment dismissal of a Cal. Bus. & Prof. Code 17200 case, redefining the legal standard for deceptive and misleading advertising claims (*Haskell v. American Family Publishers*).
- Represented Woody Allen in his lawsuit and trial against Mr. Allen's former producers, recovering unpaid profit participations from eight films, as well as securing contempt finding and attorneys' fees.
- Principal negotiator of a settlement agreement with 32 state attorneys general involving false advertising and deceptive trade practices, also negotiating seven separate agreements with attorneys general (*American Family Publishers' Business Practice Litigation*).
- Prosecution and defense of numerous multiple-party corporate raiding cases.
- Successful appeal involving a town-imposed moratorium on residential development (*Montgomery Group LLC v. Town of Montgomery*).
- False advertising litigation (*Pfizer v. Procter & Gamble*).
- Multidistrict real estate dispute (*Health Industries, Inc. v. Bally Health & Tennis Co.*).

Publications/Speeches

- Speaker, Getting Your House in Order: Estate and Business Continuity Planning for the Next Decade, New York, New York (January 27, 2010)
- Author, Employer Can Be Liable for Discrimination by an Independent Contractor Acting on Behalf of the Employer (December 2009)
- Author, Employment Contracts For The New Economy, The Delaney Report (November 2009)
- Speaker, 22nd National Advanced Corporate Counsel Forum on Advertising Law (Responding to Government Investigations and Enforcement Actions), New York, New York (January 26-27, 2009)

- Speaker, Mastering A Winning Strategy, the Discovery Process for the General Counsel, Incisive Media, New York, New York (November 2008)
- Author, Celebrity Advertising/Endorsements, The Delaney Report (September 2008)
- Editor, Legal Perspectives: Websites and Copyright Infringement, The Delaney Report (June 11, 2007)
- Participant, Judicial Conference to Amend Federal Rules on Electronic Discovery (2005)
- Co-author, Restrictive Covenants: Getting Wise at the Drafting Stage, General Counsel New York (July 2005)
- Speaker, Effective First Strike and First Response Tactics, American Corporate Institute, New York, New York (March 2005)
- Speaker, UCLA Entertainment Law Symposium, Los Angeles, California (November 2004)
- Speaker, Electronic Discovery and Document Retention, Bureau of National Affairs, New York, New York (May 2003)
- Speaker, Discovery of Electronic Evidence, Association of the Bar of the City of New York (May 2003)
- Speaker, Effectively Managing Public Relations for High Profile Litigation, North Star, New York, New York (January 2003)
- Co-author, Courts More Open To Requests To Shift E-Discovery Costs, New York Law Journal (August 2002)
- Co-author, The Federal Connection: A History of U.S. Military Involvement in the Toxic Contamination of Love Canal and the Niagara Frontier Region, New York State Assembly Report
- Speaker, When Consumer Class Actions and State Attorneys General Collide, American Bar Association Committee on Consumer Protection

Media Mentions

- "The Hurt Locker" Movie Lawsuit Interview with June Grasso, *Bloomberg Law*, *Bloomberg Radio*
- For \$5 Million, Woody Allen Agrees to Drop Lawsuit By C.J. Hughes, *The New York Times*
- Holocaust Litigator Honored *The Scarsdale Inquirer*
- Numerous mentions, *Wall Street Journal*, *New York Times* and *Business Insurance*



Affiliations

- Member, American Bar Association
- Former Vice Chair, Committee on Consumer Protection, Antitrust Section, American Bar Association
- Member, Association of the Bar of the City of New York
- Member, Federal Bar Council
- Member, Second Circuit Courts Committee
- Editor, Legal Perspectives Section, *The Delaney Report*, a publication for the advertising, marketing, and media industries

Distinctions

- Awarded Loeb & Loeb's Third Annual Award for Community Service and Professional Achievement (2005)
- Named "New York Super Lawyer" in Employment & Labor, Intellectual Property Litigation and General Litigation by *Law & Politics* (2006-2009)
- Listed in *Who's Who in American Law*
- Highest "AV" Professional Rating, *Martindale-Hubbell Law Directory*
- Chairperson, Loeb & Loeb Diversity Initiative Committee (2002 - present)

Education

New York University School of Law, J.D., 1977
Member, Annual Survey of American Law
Cornell University, B.A., 1974, with Distinction

Bar Admissions

New York

Court Admissions

U.S. Supreme Court
U.S. District Court for the Southern District of New York, 1978
U.S. District Court for the Eastern District of New York, 1978
U.S. Court of Appeals, First Circuit
U.S. Court of Appeals, Second Circuit
U.S. Court of Appeals, Third Circuit
U.S. Court of Appeals, Fourth Circuit
U.S. Court of Appeals, Sixth Circuit



CHRISTIAN D. CARBONE

Partner

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Christian Carbone is a commercial litigator with extensive experience handling complex commercial actions, contract disputes, entertainment, media, advertising and employment matters. Notable representations have involved clients such as Turner Broadcasting, CNN, iN Demand, Pfizer, Miramax, The William Morris Agency and Woody Allen. In the entertainment and advertising arena, Mr. Carbone has litigated complex breach of contract, accounting, right of publicity and defamation cases in the areas of film, television, music and publishing, and false advertising and deceptive trade practice matters. On a *pro bono* basis, Mr. Carbone represents a state-wide class of foster children against the State of Mississippi in a case seeking sweeping reforms to the State's child welfare system.

Practice Areas

- Business Litigation
- IP and Entertainment Litigation
- Information Management and eDiscovery
- Advertising and Promotions
- Marketing and Advertising Regulatory

Representative Experience

- Secured historic \$5 million settlement for filmmaker Woody Allen in his right-to-privacy lawsuit against American Apparel, Inc., for misuse of his image. The settlement was the largest amount paid in the history of the New York statute (*Woody Allen v. American Apparel, Inc.*).
- Representation of Turner Broadcasting System and major magazine publishers in right of publicity action by Yogi Berra arising out of an advertising campaign for the television program "Sex and the City."
- Represented Woody Allen in his lawsuit and trial against Mr. Allen's former producers, recovering unpaid profit participations from eight films, as well as securing contempt finding and attorneys' fees.
- Representation of major pharmaceutical manufacturer in a false advertising and unfair competition case against a major competitor.



- Representation of independent film production company in multiple actions against record label involving claims for copyright infringement, defamation and breach of fiduciary duty.
- Representation of advertisers and advertising agencies in disputes with major talent guilds.
- Prosecution and defense of numerous trade secret, corporate raiding and restrictive covenant cases.

Publications/Speeches

- Speaker, Information Management And eDiscovery Free CLE Webinar (March 17, 2010)

Media Mentions

- For \$5 Million, Woody Allen Agrees to Drop Lawsuit By C.J. Hughes, *The New York Times*
- Settlement Reached in Mississippi Child Welfare Suit Staff Writer, *The Clarion-Ledger*

Affiliations

- Member and Regular Performer, Lawyers' Orchestra

Education

Benjamin N. Cardozo School of Law, Yeshiva University, J.D., 1996, *magna cum laude*
Eastman School of Music, University of Rochester, B.M., 1993
Recipient, Performer's Certificate

Bar Admissions

New York

Court Admissions

U.S. District Court for the Southern District of New York
U.S. District Court for the Eastern District of New York
U.S. Court of Appeals, Second Circuit



SHELLY ELIMELEKH
Associate

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Shelly Elimelekh focuses her work on intellectual property litigation, specifically concentrating on trademarks and copyrights. In addition, Ms. Elimelekh handles general commercial litigation and entertainment related litigation.

Practice Areas

- Business Litigation
- IP and Entertainment Litigation
- Trademarks and Copyrights

Publications/Speeches

- Co-author, Is the Tide Turning in Keyword Advertising Litigation? The Significance of *Rescuecom v. Google*, NYSBA Bright Ideas, Vol. 18 No. 2 (Fall 2009)
- Co-author, Tackling "Friendly" Internet Trademark Infringers, *New York Law Journal* (February 4, 2008)

Education

Benjamin N. Cardozo School of Law, Yeshiva University, J.D., 2006, *magna cum laude*
Order of the Coif

Supervising Editor, *Cardozo Arts and Entertainment Law Journal*

Note published: *The Constitutional Validity of Circuit Court Opinions Limiting the American Right to Sexual Privacy*

Boston University School of Management, B.S./B.A., 2003, *magna cum laude*

Bar Admissions

New York, 2007

Languages

Hebrew