

## Pierre-Yves Kolakowski, PARTNER

Pierre-Yves Kolakowski joined ZEK in 1995 and is the resident and managing partner in our Connecticut office. Pierre is a commercial litigator, practicing in the state and federal courts of Connecticut, both at the trial and appellate levels.

Pierre's philosophy has always been to forge a strong relationship with clients and work to develop a keen understanding of the clients' businesses, operations and individual needs. This strategy has proven time and again to form a strong basis upon which to counsel clients and tailor legal services to the individual client's specific goals and objectives. A skilled litigator who is always willing to take the client's dispute to a successful resolution at trial where appropriate, Pierre likewise recognizes the need to explore alternative resolutions which best suit the economic and business goals of the client.

Pierre has been recognized as a Top Rated Business Litigation Attorney and "Super Lawyer" as well as a "Top Attorney in Connecticut" by *Connecticut Magazine*.

### PRACTICE AREAS

**Banking Litigation** – Pierre regularly defends major banks, financial institutions and mortgage servicers with respect to various lender liability claims and federal and state compliance issues. These include claims arising under the Fair Credit Reporting Act, the Fair Debt Collection Practices Act, the Real Estate Settlement Practices Act and the Connecticut Unfair Trade Practices Act, to name just a few.

**Commercial Litigation** – Pierre's practice also includes litigating and advising ZEK's clients with respect to general business and commercial issues, including fraud, breach of contract, finance and commercial disputes arising under the Uniform Commercial Code concerning sales, negotiable instruments, funds transfers and secured transactions. Pierre has also successfully litigated numerous claims seeking the recovery of assets and improper preferential transfers under the Uniform Fraudulent Transfer Act.

**Real Estate Litigation** – Pierre's practice involves the enforcement of commercial loan obligations including commercial foreclosure actions, escalated residential foreclosures, replevin actions and workouts. Indeed, based on his many years of experience in the field, Pierre has lectured on Connecticut's unique foreclosure procedures. Other matters include quiet title and reformation actions and the negotiation and defense of municipal tax and lien obligations.



**Food & Beverage** – Pierre heads ZEK’s Food & Beverage practice group, representing multiple industry participants such as food distributors, manufacturers and wholesalers. Pierre has assisted clients in many facets of the industry, including the negotiation and enforcement of distribution and supply contracts and the preparation of other specialized industry agreements including private label, warehousing, import and recipe/food product confidentiality agreements. In addition, drawing on his extensive experience as a litigator, Pierre has represented ZEK’s food and beverage clients in a variety of industry-related litigation and proceedings involving contract disputes, restrictive covenants, creditor’s rights and regulatory compliance.

## REPRESENTATIVE REPORTED CASES

- U.S. Bank, N.A. v. Moncho, 203 Conn. App. 28 (2021).
- Ishutkina v. CitiMortgage, Inc., 790 Fed. Appx. 327 (2<sup>d</sup> Cir. 2020)
- Cenatiempo v. Bank of America, N.A., 333 Conn. 769 (2019)
- U.S. Bank Nat’l Ass’n v. Blowers, 332 Conn. 656 (2019)
- Bank of America, N.A. v. Gonzalez, 187 Conn. App. 511 (2019)
- Bank of N.Y. Mellon v. Mauro, 177 Conn. App. 295 (2017).
- McClancy v. Bank of America, N.A., 176 Conn. App. 408 (2017)
- Fitzpatrick v. U.S. Bank N.A., 173 Conn. App. 686 (2017)
- Deutsche Bank Nat’l Trust Co. v. Cornelius, 170 Conn. App. 104 (2017).
- TD Bank, N.A. v. Doran, 162 Conn. App. 460 (2016).
- Ribeiro v. Fasano, Ippolito & Lee, P.C., 157 Conn. App. 617 (2015).
- In Re Trilegiant, 11 F.Supp. 3d 82 (D. Conn. 2014).
- Bank of America, N.A. v. Briarwood Conn., LLC, 135 Conn. App. 670 (2012).
- Flemming v. Goodwill Mort. Serv., LLC, 648 F. Supp. 2d 292 (D. Conn. 2009).
- Claude v. Peikes, 534 F.3d. 801 (2<sup>d</sup> Cir. 2008).
- Butterworth v. Citicorp Mortg., Inc., 33 Fed. Appx. 18 (2<sup>d</sup> Cir. 2002).
- Citicorp Mortgage, Inc. v. Weinstein, 42 Conn. App. 348 (1999).
- BRM Indus. V. Mazak Corp., 42 F.Supp. 2d 176 (D. Conn. 1999).