

## Stuart A. Krause, EXECUTIVE PARTNER

Stuart Krause's practice focus is complex and high stakes litigation with a "dual major" in creditors' rights. He has over 35 years of experience in complex fraud, financial, and commercial litigation. Stu is skilled in fighting huge, fiercely contested, and logistically demanding litigation. Our firm-wide price advantaged, right-size staffing structure enables Stu and his colleagues to offer medium size companies facing "bet the company" or other significant litigation the ability to see such cases to trial in a cost-effective manner. Stu Krause has been recognized as a Super Lawyer, and is AV rated by Martindale-Hubbell. Stu joined the predecessor to ZEK in 1986, and was a founding partner of ZEK in 1989.



### PRACTICE AREAS

**High Stakes Litigation** — serious experience in litigating "bet the company" cases for mid-size companies that require price advantaged representation, or which want to benefit from ZEK's alternative fee structure. ZEK, at 50 attorneys, litigates effectively and intelligently, in local, foreign, or multiple jurisdictions, cases involving an enormous number of discovery documents, multiple depositions over a wide geographic area in a tight time frame, and intensive and ongoing pretrial motion practice.

**Complex Fraud and Commercial Litigation** — extensive experience in both the prosecution and defense of fraud and commercial cases, including RICO, common law fraud, securities fraud, and breach of fiduciary duty claims, and breach of contract and breach of the covenant of good faith claims.

**Complex Financial and Creditors' Rights Litigation** — extensive experience in representing financial institutions in banking litigation, and as creditors in bankruptcy and federal and state courts handling all aspects of such representation, including lien and loan enforcement, recovery of all types of collateral, claims litigation, lift stay applications, and avoidance actions.

**Class Action Defense** — serious experience in successfully defending large financial institutions in consumer class actions in state and federal courts.

**Israeli Client Practice** — chair of the Israeli foreign attorney office group which represents numerous Israeli companies in transactions and business disputes and litigation in the U.S.

**Commercial Real Estate Brokerage Litigation** — extensive litigation experience and deep knowledge base regarding commercial real estate brokerage litigation involving the largest real estate firms in New York.

## PREVIOUS POSITIONS

Sage Gray Todd & Sims, New York, and Skadden, Arps, Slate, Meagher & Flom, New York

## EXPERIENCE

- Successfully defended large privately held environmental consulting firm in \$54 billion RICO case brought by Chevron, arising out of client's services in connection with environmental damage litigation in Ecuador.
- Successfully defended U.S. principals of investment entity in the UAE against fraud and breach of fiduciary duty claims, brought by investors, in the Delaware Chancery Court.
- Successfully defended largest commercial real estate brokerage firm in the country against claims of tortious interference with contract and other alleged tortious conduct.
- Obtained seven-figure jury verdict in Federal Court in N.Y. on behalf of international investigative firm on a breach of contract claim.
- Successfully defended large national grocery retailer against claims of false claims in labeling.
- Successfully defended large U.S. money center bank against claims it had converted billions in assets purportedly deposited with the bank in Asia.
- Obtained a defendant's verdict for a large U.S. money center bank after a month-long trial in Federal Court in N.Y. in a case involving \$180 million RICO and common law fraud claims by a quasi-governmental entity of the Kingdom of Qatar.
- Successfully prosecuted, on behalf of the U.S. subsidiary of a large Japanese trading company, \$50 million complex fraud and creditors' rights claims in Florida's State, Federal, and Bankruptcy Courts.
- Successfully defended in Hawaii State Court, on behalf a large Japanese trading company, claims for compensatory and punitive damages under whistleblower statutes and for retaliatory discharge.
- Obtained dismissal of class action cases against money center bank arising out of overdraft checking privileges.
- Obtained dismissal of class action cases against leasing arm of large money center bank arising out of equipment leasing practices.
- Stu "enjoys the give and take of complex and high stakes litigation because it's akin to chess at the grandmaster level. Litigating such cases also requires you to be a bit of a detective, since successfully resolving these cases often involves getting at the truth, not only in terms of the underlying facts, but also in uncovering and effectively explaining the litigant's motives and goals which underlie the fact pattern."
- "The maturation of legal technology solutions has benefitted ZEK and both its large and midsized clients. ZEK, as a 50-lawyer firm, is able to handle 'bet the company cases' with their fast-paced motion practice and a huge number of documents. And by being able to retain ZEK, the midsized company can litigate high stakes existential litigation to trial without incurring unendurable legal expenses."