

David C. Wohlstadter

Senior Associate

+1 212 210 9500

david.wohlstadter@alston.com

New York | 90 Park Avenue, 15th Floor | New York, NY 10016-1387



David represents Fortune 500 companies in federal and state courts at the trial and appellate levels, including world-class financial institutions and major insurance providers, in a broad range of complex commercial disputes and federal investigations, including class-action litigation, structured finance litigation, securities law cases, contractual disputes, and insurance defense work. He brings to bear his first-chair experience in helping his clients litigate aggressively.

Before joining Alston & Bird, David served as the commercial division law clerk to the Hon. Eileen Bransten, New York Supreme Court, New York County, Commercial Division.

David graduated in the top 10 percent of his class from the St. John's University School of Law in 2012, receiving cum laude honors. At St. John's, David was named a St. Thomas More Scholar, served as the articles & notes editor of the *American Bankruptcy Institute Law Review*, and received the Wann Family Foundation Graduation Award for Business Planning. David also worked with the St. John's Elder Law Clinic providing pro bono legal work to low-income seniors victimized by financial fraud. David graduated cum laude from NYU's Stern School of Business in 2008, majoring in finance and minoring in history, and receiving the Founder's Day Award.

Representative Experience

Structured Finance

- Represented CMBS special servicers in a variety of litigation contexts in both state and federal courts at both the trial and appellate levels, including foreclosures, appointment of receivers, breach of contract, mediation, and recouping attorneys' fees.
- Represented a CLO trustee in multiple proceedings arising out of a public auction of loans and equity interests in distressed companies. Defeated motion to enjoin the sale after an evidentiary hearing in the SDNY.
- Represented a commercial mezzanine lender against a borrower's motion for an injunction to halt a UCC foreclosure, at both the trial level and on appeal.
- Represented a commercial mezzanine lender as replacement counsel, successfully having a previously-issued injunction against a UCC foreclosure overturned on appeal in a news-worthy, precedent setting case. Collected against a six-figure bond securing the wrongfully issued injunction.
- Represented one of the world's largest international banks in defending numerous representation and warranty cases involving RMBS securitized trusts and billions of dollars in potential exposure.
- Represented one of the nation's largest financial services firms in multiple litigations stemming from the bank's debt and equity investment in a real property development. Sought appointment of a receiver in commercial foreclosure action, with favorable results for the client, and had receiver's appointment affirmed on appeal.

- Represented the largest domestic M&A advisory firm in litigation arising out of its role in a well-publicized sale of the world's top language services firm.

Insurance Industry Representations

- Leader of cross-firm team representing a major life insurance company in cost of insurance litigation in several class action cases across multiple jurisdictions.
- Trial counsel in over 80 cases to one of the nation's preeminent automotive and casualty insurance companies.
- Represented a national insurance company in both federal and state court actions, including on appeal, in successfully defeating putative class actions.

White Collar Investigations and Defense

- Represented a former bond trader in highly publicized criminal and civil securities fraud actions. After a seven week trial, a jury acquitted the client on all counts. Two years later, after extensive discovery and a presentation to senior staff members, the SEC dismissed all claims against the client, with prejudice.
- Represented individuals in civil and criminal DOJ health care investigations.
- Represented a broker-dealer during an SEC investigation.
- Represented a nationally prominent governor in a criminal case.

Other Selected Representations

- Represented a major logistics company in state court litigation.
- Represented a hedge fund in action alleging fraud and seeking to collect against a former investment advisor.
- Represented residential mortgage servicers in federal court cases.
- Represented a national bank lender in a case involving a major commercial project in Los Angeles.
- Represented an AmLaw 100 law firm in defending document and deposition subpoenas.
- Represented one of the U.S.'s best-known FinTech companies in multiple litigations in New York state courts.

Professional & Community Engagement

- New York City Bar Association, Litigation Committee

Education

- St. John's University (J.D., 2012)
- New York University (B.S., 2008)

Admitted to Practice

- New York
- New Jersey

Related Services

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