



Contact

**Matthew J. Morris**

**Special Litigation  
Counsel**

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Matthew J. Morris is a Special Litigation Counsel. He works on a variety of disputes concerning insurance coverage, partnership and joint venture agreements, hotel management agreements, merchant funding agreements, civil RICO and international arbitration.

Matt's analytical acumen has enabled him to contribute significantly to the Firm's success in difficult appellate matters, including two victories in the New York Court of Appeals: one in a dispute concerning whether the aggregate coverage limit of an excess liability insurance policy covering asbestos claims made against the insured was renewed annually, rather than continued over the three-year period of the policy (16 N.Y.3d 419), and the other in a decision that established that an insured may obtain indemnification for payments made as disgorgement where such payments do not represent the insured's own illicit gains (21 N.Y.3d 324).

Other cases included:

- A victory in the New York Appellate Division in a dispute regarding whether an insured that sold asbestos believing its products could be used safely, despite its awareness of possible injuries, did not expect or intend such injuries for coverage purposes (101 A.D.3d 434)
- A successful appeal to the Second Circuit from a decision in which the district

court had held that a "hell or high water" agreement barred Home Depot U.S.A., Inc. from arguing that it was constructively evicted from its premises, terminating its rent obligation (570 F.3d 513)

- Representation of *The New York Times* in a case in which the lower court granted class certification to plaintiffs challenging the right to engage in newsgathering, and the appellate court reversed the certification order (895 A.2d 1173)
- Recent trial victories involving substantial damages in an arbitration regarding a hotel owner's termination of a hotel management agreement in Mexico and a commercial landlord-tenant dispute regarding a rent rebate provision

#### Practices

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Insurance Recovery & Counseling, Real Estate Litigation, International Arbitration, Appellate

#### Industries

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Real Estate

#### Education

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New York University School of Law, J.D., 1999  
Editor-in-Chief, Annual Survey of American Law  
Cornell University, Ph.D., 1992  
University of Chicago, B.A., 1985

#### Admissions & Qualifications

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New York

#### Clerkships

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New York Court of Appeals - Hon. Judith S. Kaye

#### Court Admissions

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U.S. Court of Appeals, Second Circuit

U.S. District Court, New York, Eastern District

U.S. District Court, New York, Southern District

#### **Memberships**

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New York State Bar Association

New York City Bar