



Tamar S. Wise

Member

New York

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Practice Areas

- Appellate
- Commercial Litigation
- Financial Services
- Litigation

Education

- New York University School of Law, J.D., 2007
- Yale University, B.A., *cum laude*, 2004

Bar Admissions

- New York
- Pennsylvania

Court Admissions

- U.S. District Court -- Eastern District of New York
- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- Southern District of New York
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court -- Northern District of New York

Awards & Honors

- New York Super Lawyers "Rising Star" 2012-2018

Tamar is a dedicated and creative commercial litigator who represents clients in a wide range of complex commercial litigation matters including securities, contract, First Amendment, and real estate cases in jurisdictions nationwide. Tamar has an extensive appellate practice in both state and federal appellate courts. In 2019, Tamar second-chaired a high-profile First Amendment victory before the United States Supreme Court in *Manhattan Community Access Center v. Halleck*. Tamar is also regularly called upon to counsel on defamation and libel issues and cases and has secured important rulings for clients in this evolving legal and Constitutional space.

Tamar has significant experience with commercial and securities cases spanning a wide range of industries including financial services and investments, mortgage lending, and aviation. She has successfully briefed and argued motions at all stages of litigation.

Tamar has been recognized as a New York Metro Super Lawyers-Rising Star for the last eight years. Tamar speaks and writes regularly in legal and business publications, and most recently was an invited panelist at the 32nd Annual Media & The Law Seminar on the topic of the First Amendment and social media control. Prior to joining Cozen O'Connor, Tamar was an associate in the New York office of a top-ranked international law firm.

Tamar graduated *cum laude* from Yale University with a degree in history and earned her law degree from New York University School of Law, where she was the recipient of the American Corporate Counsel scholarship and a staff editor of the *Journal of Law and Business*. Tamar is admitted to practice in New York and Pennsylvania.

Experience

Second-chaired a major First Amendment victory before the Supreme Court of the United States, *Manhattan Community Access Corporation v. Halleck*, from filing of the case in district court. In June 2019, the Supreme Court reversed the U.S. Court of Appeals for the Second Circuit and held that a private company that, among other things, operates the public access channels in Manhattan, was not a "state actor" and therefore not subject to liability under the First Amendment. The Court clarified its tests for when private parties can be found to be "state actors" and thus subject to constitutional liability.

Won a dismissal with prejudice in a closely-watched securities and defamation case in the Commercial Division of the New York Supreme Court, brought under the "short and distort" theory. The court held that the defendants had fully disclosed their short positions along with the factual bases for their opinions, and the plaintiff had not challenged the veracity of those underlying facts. The case is now on appeal.

Secured a favorable settlement on behalf of the lender of a mortgage loan in a multimillion-dollar suit alleging master servicer and special servicer breaches.

Represented a closely held company and its shareholder against claims brought by a former minority

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shareholder, defeating the former minority shareholder's request for an injunction and securing an injunction prohibiting the former minority shareholder from competing.

Obtained a defense win in a week-long trial for a regional law firm sued for professional malpractice.

Successfully defended, on the pleadings and at early summary judgment, a New York real estate developer in a series of investor lawsuits for securities fraud totaling approximately \$10 million in exposure.

Represented a Fortune 500 company in a claim that a representative was owed commissions. Cozen O'Connor won the bench trial.

Defended a *pro bono* client in cancellation of removal proceedings in immigration court. The judge awarded the client the relief requested, and no leave to appeal was given.

Successfully moved to dismiss claims against a minority shareholder and its principal for aiding and abetting directors' and liquidating trustees' breaches of fiduciary duty.

Defeated securities fraud claims against an individual member of the board of directors of a REIT in a class action in the Southern District of New York, winning a motion to dismiss with prejudice.

Represented investors in a claim against Oppenheimer & Co., Inc. involving auction rate securities. Case settled after two days of jury trial.