



## contact

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I approach every issue like it's a house fire—I've got to quickly figure out how to help my clients escape from the burning building. With an ability to stay steady and calm, I'm able to immediately assess a situation and distill it down to its essence. I then collaborate creatively with those I serve to plot the best way to resolve a problem as efficiently as possible. It is extremely rewarding to improve their situation.

Len Trivigno advises a diverse client base in general commercial disputes, including claims for breach of contract, unjust enrichment, quantum meruit, trademark infringement, civil RICO violations, and commercial mortgage foreclosures.

Because Len has counseled clients on a wide variety of issues over the course of his career, he skillfully handles almost any type of litigation matter and rarely sees a problem that he hasn't previously encountered and solved. Fully confident in his ability to zero in on the relevant issues, Len quickly identifies vulnerabilities that appear on both sides. Clients appreciate his keen intellect and sharp analytical talents.

As a strong advocate for both plaintiffs and defendants, Len litigates cases in state and federal courts primarily in New York, as well as in New Jersey, Delaware, and Pennsylvania and before organizations including the International Chamber of Commerce and the Financial Industry Regulatory Authority (FINRA). Len also

negotiates and drafts a wide array of complex commercial documents including indentures and license, loan, and third-party vendor agreements.

In the bankruptcy space, Len has represented indenture trustees, investors holding claims against debtors arising from the issuance of residential mortgage-backed securities, and defendants in adversary proceedings, including former investors with Bernard Madoff in "claw-back" actions.

Len often uses his stellar writing skills to author client advisories and articles for the New York Law Journal, among other publications. He is a frequent presenter at Continuing Legal Education (CLE) events.

### Experience

- Represented international pharmaceutical company before an Arbitration Panel of the International Chamber of Commerce in Singapore and Japan seeking the enforcement of a license agreement.
- Represented indenture trustee in chapter 11 bankruptcy cases, including commencement of adversary proceedings, to protect the rights of bondholders.
- Represented interests of holders of residential mortgage backed securities in *In re Residential Capital, LLC* (Case No. 12-12020).
- Represented community bank in several commercial mortgage foreclosure actions in New York City, including review of transaction documents and drafting pleadings and applications for appointment of referees and receivers. Successfully prosecuted action against guarantor of mortgages.

### Publications

- [2nd Circ.'s Nine West Ruling Clarifies Safe Harbor Confusion](#), *Law 360*, March 11, 2024
- [Emerging Trends and Future Litigation in the Wake of COVID-19](#), *Client Advisory*, May 27, 2020
- [Treasury Department and SBA Issue Interpretative Guidance Clarifying Affiliation Rules and Certain Other Provisions of the Paycheck Protection Program](#), *Client Advisory*, April 10, 2020
- [Summary of the Amendments to the Bankruptcy Code Contained in the CARES Act](#), *Client Advisory*, April 1, 2020
- [Summary of the Provisions of the CARES Act Affecting the Workforce](#), *Client Advisory*, March 27, 2020
- [Department of Labor Issues First Round of Guidance on Fam](#), *Client Advisory*, March 25, 2020
- [Remote Execution of Contracts and Remote Notarization](#), *Client Advisory*, March 24, 2020
- [On-Site Workforce Restrictions for "Non-Essential" Businesses in New York State](#), *Client Advisory*, March 22, 2020
- [Summary of Recent Federal and New York State Legislation Providing Paid Sick Leave in Response to the Coronavirus Pandemic](#), *Client Advisory*, March 20, 2020
- ['Hall' No! Supreme Court Overturns 'Nevada v. Hall' and Holds States Are Immune From Suits in Courts of Sister States](#), *New York Law Journal*, June 19, 2019
- [Immunity Boost? The Supreme Court Hears Argument \(for the Third Time\) Regarding Scope of State Sovereign Immunity](#), *New York Law Journal*, March 21, 2019
- [Forum Selection Flaws: New York Court Finds Forum Selection Clause Was Permissive, Not Mandatory](#), *New York Law Journal*, July 1, 2018

### Pro Bono Work

Mr. Trivigno has shown a commitment to representing pro bono clients throughout his career. He has successfully represented an individual debtor seeking bankruptcy relief, a homeowner facing foreclosure and an individual in a civil tort action. Mr. Trivigno also mentors students participating in the High School Mock Trial Tournament, a tournament sponsored by the New York State Bar Association and the New York Bar Foundation.

## Outside the Office

I've got three young kids that keep me busy, and spending time with them is always fun and eventful. In addition to being a sports fan, I'm also fond of puzzles, including jigsaws and crosswords. I enjoy reading, and I've been teaching myself to read Latin.

## Practices

Litigation and Disputes  
Insolvency and Creditors' Rights  
Intellectual Property  
International Arbitration  
Trade Secrets and Restrictive Covenants  
Corporate Trust  
Banking and Commercial Lending

## Admissions

### Bar Admissions

New York

### Court Admissions

U.S. Court of Appeals, Third Circuit  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Northern District of New York  
U.S. District Court for the Southern District of New York

## Education

Brooklyn Law School (JD, 2005)  
Binghamton University, State University of New York (BA, 2002)

## Awards/Honors

*Super Lawyers*® "Rising Star," 2014-2020, 2023  
*Super Lawyers*®, 2024