

Massimo F. D'Angelo | Partner
Business Litigation

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CO-CHAIR, REAL ESTATE INDUSTRY TEAM

Massimo F. D'Angelo is a nationally recognized real estate attorney and commercial litigator.

Massimo represents high-end fashion brands, media conglomerates, multinational corporations, owners, developers, condominiums and cooperative boards, politicians, and celebrities on complex real estate disputes, civil cases, securities litigation, and white collar criminal matters. Massimo also counsels his clients on general corporate governance, labor and employment issues, transactional matters, and lobbying efforts. Massimo is a trial attorney with extensive experience in high-stakes litigation in state and federal courts throughout the country, as well as internationally. He has argued numerous appeals.

Massimo regularly writes and contributes to the education and development of the law. He has been featured multiple times on CNN and CBS News, and quoted in the *Wall Street Journal*, *Financial Times*, *Politico*, *Forbes*, *New York Post*, *Times of London*, *Commercial Observer*, *New York Law Journal*, and *Law360*.

Massimo is fluent in Italian and conversant in French and Spanish.

Select Engagements

- ***Hartman v. WVH Hous. Dev. Fund Corp.***: Created the precedent that a prevailing party is entitled to recovery of their reasonable fees and costs where they are awarded the “central relief” that goes to the “core” of the parties’ dispute.

- ***Rumble Fitness LLC v. 700 Broadway 1891 LLC***: Denied the commercial tenant's COVID-19 lease defenses and ordered the payment of nearly one million dollars in back rent, plus fees and costs, thereby invalidating the applicability of the doctrines of force majeure and impossibility resulting from the pandemic.
- ***Korman v. Corbett***: In a case of first impression, created a carve-out exception to the Statute of Frauds presenting a sea change under the law, which now allows parties to seek specific performance under an oral contract to buy or sell real property so long as the party seeking the remedy can show that it partially performed their contractual duties.
- ***The Board of Managers of 266 West 115th Street Condominium v. 266 West 115th Street, LLC***: In a novel case on two separate issues, successfully established that: 1) a board may pursue claims against a sponsor-developer's principal, personally, where the principal signs the certification to the Offering Plan in his individual capacity; and 2) a sponsor-developer may be liable for construction defects beyond the applicable notice period set forth in the Offering Plan when the sponsor-developer engages in repairs beyond such notice period.
- ***Westchester Mall, LLC v. Manoucher Hedvat***: Reaffirmed the general rule that dismissals after opening statements are strongly disfavored absent extraordinary circumstances in a corporate veil piercing action brought against a commercial tenant and its principal.
- ***Arthur at the Westchester, Inc. v. Westchester Mall, LLC***: Successfully represented the mall against a challenge by a retail tenant that a guarantee was invalid for lack of consideration even though the guarantee was executed prior to the lease.
- ***Yuppie Puppy Pet Products, Inc. v. Street Smart Realty, LLC***: Established that a mortgagee can be permitted to intervene in an action even where the defendant/mortgagor has defaulted.

Admissions

- New Jersey
- New York

Education

- University of Massachusetts, Amherst, BA
- Thomas M. Cooley Law School, JD

Recognitions

- 2023, "Super Lawyer" in Real Estate: Business, New York, listed in *Super Lawyers*
- 2014–2022, "Rising Star" in Real Estate: Business, New York, listed in *Super Lawyers*

Professional Activities

Massimo serves as chairman of the Board of Trustees for La Scuola d'Italia Guglielmo Marconi. He is also a member of the Italy America Chamber of Commerce.

In addition to serving on the Membership Committee of the Columbus Citizens Foundation, Massimo serves as executive secretary of the Columbian Lawyers Association of the First Judicial Department and as a member of the Civil Court Practice Section of the New York County Lawyers' Association.

Massimo is a member of the Professional Responsibility Committee of the New York City Bar Association.