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Fried Frank Obtains Litigation Victory for Forest City Realty Trust

New York – February 12, 2019 – Fried Frank obtained a victory for Forest City Realty Trust in a suit against New York City to compel arbitration. The issue was whether the parties’ Ground Lease provided that a court or an arbitrator should decide how the parties should calculate Fair Market Value (FMV). Judge Ramos of the New York Supreme Court had previously granted Forest City’s motion to stay the proceedings and compelled the parties to proceed to arbitration.

The City appealed and the First Department unanimously affirmed Judge Ramos’ decision, finding that the lease “unambiguously provides for arbitration of the instant dispute.”

The Fried Frank team included real estate and litigation partner Janice Mac Avoy, who argued the motion on behalf of Forest City, and litigation associates Kristin Whidby and Danica Brown.