

Clayman Rosenberg Kirshner & Linder LLP

JAMES F. VALENTINO

PARTNER

valentino@clayro.com

EDUCATION

University of Pennsylvania Law School

Cornell University

ADMISSIONS

State Bar of New York

U.S. District Courts:

Southern District of New York

Eastern District of New York



Biography

James Valentino is a versatile attorney who litigates complex, high-stakes criminal and civil matters, advises businesses on a broad range of employment issues and represents senior employees in negotiations regarding terms of employment, compensation and severance packages.

James's employment practice involves representing officers, directors, partners, executives and other senior level employees in contract and severance negotiations. James also advises companies on compliance with local, state and federal employment and labor laws and drafts various employment contracts and policies. He also engages in litigation and dispute resolution on behalf of individuals and companies involving a wide range of claims including: discrimination and retaliation, failure to pay bonuses, commissions and wages, breach of contract and breach of non-competition, non-solicitation and confidentiality agreements. His employment work spans across a multitude of industries including hospitality, banking and finance, private equity and start-ups, health care, advertising and sales, fashion, media, entertainment, and sports.

James is also an experienced civil litigator. Although James has proven successful on many occasions in helping his clients avoid lengthy, expensive and potentially damaging litigation, sometimes litigation is unavoidable. James

has spent more than half of his career handling matters ranging from business disputes to violations of civil rights. He represents individuals and businesses in civil litigations in state and federal courts and in arbitrations before FINRA, AAA, and JAMS.

As a former senior prosecutor in Kings County, James understands each criminal matter he litigates from the perspective of both law enforcement and the defense. He has handled over a thousand cases as either a prosecutor or defense attorney, tried numerous cases to verdict as lead counsel and conducted pre-trial and post-conviction hearings. James defends individuals facing a wide variety of federal and state criminal charges including fraud, tax evasion, larceny, forgery, assault, driving while intoxicated, sale and possession of narcotics, weapons possession, homicide, and sex offenses.

Prior to joining Clayman Rosenberg Kirshner & Linder LLP, James had his own law practice based in New York City. Before that, James was a Senior Assistant District Attorney in Kings County and worked at two New York law firms: Cahill, Gordon & Reindel, LLP and Harris, St. Laurent, LLP.

Representative Matters

Civil / Employment Matters

Successfully moved to dismiss a complaint against an attorney alleging legal malpractice, fraud, and breach of contract. The dismissal was recently upheld on appeal in the First Department.

Negotiated a settlement which avoided the arrest and prosecution of a former police officer in a matter involving allegations of insurance fraud and grand larceny.

Represented a former FDNY captain in a federal trial against members of the NYPD and deputy sheriffs alleging claims of false arrest and excessive force.

Represented a stock broker in an arbitration demanding indemnification against his former employer, a Fortune 500 Company.

Negotiated a substantial financial package for an equity partner withdrawing from a global law firm.

Secured a favorable pre-litigation settlement for an investment professional with claims of sexual harassment against a multinational financial services corporation.

Assisted a C-Level executive of a global mass media company in negotiating her exit from the company.

Achieved a favorable pre-litigation settlement on behalf of telecommunications sales executives who were deprived of

earned sales commissions.

Represented a registered financial advisor accused of fraud in a FINRA investigation, which resulted in no disciplinary action.

Negotiated a settlement after commencing an arbitration on behalf of an investment banker who was terminated without receiving an annual bonus.

Criminal Matters

Obtained a non-jail and non-registerable disposition for an individual charged with Rape in the First Degree.

Obtained a corporate plea with no individual liability for a business owner accused of a multi-million dollar tax fraud.

Secured dismissals in a number of criminal cases including those with allegations of assault, criminal mischief, possession of narcotics, promoting prostitution and public lewdness.

Obtained a non-criminal disposition for an individual indicted for a hate crime in Brooklyn.

Highlights

- Selected as a Super Lawyer in the area of Labor and Employment Law in 2021.
- Selected as a Rising Star by Super Lawyers from 2015 – 2020.
- Selected as a Rising Star by the New York Law Journal in 2020.
- Previously served on the Board of Directors and as Treasurer of the New York Criminal Bar Association.
- Former member of the Poly Prep Country Day School Board of Governors.