



Joshua Kopelowitz

Partner

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Leveraging over two decades of litigation experience, Joshua helps businesses and individuals resolve high-stakes commercial disputes.

A skilled trial attorney, Joshua represents clients in bet-the-company litigation including multimillion-dollar contract disputes, breaches of fiduciary duty, partnership and ownership battles and corporate dissolutions, in addition to disputes over investments and the operation and use of real estate. Joshua co-chairs the firm's Real Estate Litigation Group and is ranked by Chambers & Partners among New York's leading real estate litigators.

Joshua has the in-depth knowledge required to evaluate disputes and chart the smartest path to a favorable resolution — whether through direct bargaining, arbitration, mediation or in court if necessary. A staunch trial advocate and skilled negotiator, he provides efficient solutions that protect clients' financial interests.

More than an attorney, Joshua is a strategic partner, invested in providing legal guidance that helps advance clients' commercial goals. He monitors the market and emerging industry trends to provide advice and counsel that helps them stay ahead of the curve, and the competition.

Joshua has represented a broad range of major real estate and commercial clients at all levels of the judiciary, including state and federal trial and appellate courts in New York and nationally. He also has experience with complex residential leasing disputes, cooperative-condominium disputes, brokerage claims and contracts.

Services

- Litigation
- Real Estate Litigation
- Real Estate
- Appellate Practice
- Retail Industry
- Cooperative & Condominium Law

Before Fox Rothschild

Prior to joining Fox Rothschild, Joshua was a partner at a large real estate law firm in New York City.

Beyond Fox Rothschild

Joshua serves as Deputy Mayor and Trustee of the Incorporated Village of Roslyn Harbor, NY.

Bar Admissions

- New York

Court Admissions

- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York

Education

- Brooklyn Law School (J.D.)
- Indiana University (B.S.)

Memberships

- New York County Lawyers Association
- New York State Bar Association
- New York City Bar Association

Honors & Awards

- Selected to the "Notable Litigators & Trial Attorneys" list by *Crain's New York Business* (2025)
- Selected to the *Chambers USA* list of ranked attorneys for Real Estate: Litigation in New York (2024, 2025)
- Selected to the "Super Lawyers" list for Real Estate in New York (2019-2025)
- Martindale Hubbell AV Preeminent Rating

Representative Experience

- Represented a U.K.-based bank in litigation brought by a borrower in state and federal court alleging breach of fiduciary duties in connection with a \$25 million loan made to support the operation of a commercial complex consisting of retail, office and parking in Sarasota, FL.
- Successfully represented a limited partnership seeking to collect on a guaranty in connection with its investment in the development of a South Carolina student rental property. Prevailed in the Supreme Court of New York, New York County, securing a \$5.9 million award, plus legal fees, for the client on a motion for summary judgment in lieu of a complaint.
- Represent the half-owner of a limited liability company in a lawsuit against his partner for claims of breach of fiduciary duty, damages and seeking to dissolve the entity. Client alleges that his partner misappropriated funds, diverted business, failed to keep proper books and records, as well as other claims that purport to breach the obligations of the members. This matter is being heavily litigated in the New York state trial court as well as in the federal bankruptcy courts.
- Represent high-net-worth individual regarding the sale of his membership interest in multiple investments in the southern U.S., totaling approximately \$15 million. Assisting client with restructuring his investment, including transferring the assets. We are now working with the investor to maximize their investment, which includes exploring ways to refinance the properties and/or create an environment that allows our client to positively exit the investment.
- Achieved complete, pre-discovery dismissal of \$3 million breach of contract litigation filed against our clients — a building owner, the individual members of the limited liability ownership company including the estate of a deceased member, and the owner's general contractor — over purported renovation work done to the building.
- Successfully represented a member of an LLC in a corporate divorce from two other members who were also siblings. The value of the real property and assets in dispute was estimated to be roughly \$300 million. We worked with the client to dissolve the LLC, split the real property and assets and secure damages for breaches of fiduciary duties by remaining members of the LLC.

- Secured \$4.8 million judgment, plus award of legal fees, on behalf of a commercial real estate investment trust in a dispute with the U.S. subsidiary of a global real estate development, investment and management holding company over nonpayment of rent for prime office space in New York City.
- Secured significant award of rent arrears and interest, plus legal fees and judgment of possession for national high-end fashion retailer in a proceeding against commercial subtenant of a property in Times Square, New York. *Kate Spade & Company, LLC v G-CNY Group LLC*, 63 Misc3d 1205(A) (Civ Ct NY Co 2019)
- Prevailed on behalf of a commercial landlord in New York Supreme Court in a dispute over a tenant's failure to secure insurance coverage while renovating the property, terminating the lease and winning possession of the premises. The court's precedential ruling combined existing law that leases require notice allowing tenants to cure violations and that insurance deficiencies cannot be retroactively cured, allowing client to proceed straight to notice of lease termination. *159 West 23rd LLC v Spa Ciel De NY Corp.*, 2020 NY Slip Op 20027 (App Term 1st Dept 2020)
- Successfully voided an illegal 40 year rent-stabilized residential lease entered into by prior owner before sale of residential building to developer. The voiding of the illegal lease and judgment of possession provided developer with possession of the subject apartment to develop along with the rest of the newly purchased building. *River Tower Owner, LLC v 140 West 57th Street Corp.*, 172, AD3d 537 (1st Dept 2019)

News

November 3, 2025

Broker-Fee Ban Faces Appellate Challenge

October 14, 2025

Q&A: Fox Rothschild's Josh Kopelowitz

August 13, 2025

Everything You Need to Know About Security Deposit Returns

June 5, 2025

Fox Rothschild Attorneys Nationwide Selected to 2025 Chambers USA List

March 24, 2025

Notable Litigators & Trial Attorneys 2025

March 24, 2025

Crain's New York Selects Joshua Kopelowitz to Notable Litigators and Trial Attorneys List

March 20, 2025

New York Real Estate Litigation Team Wins \$913,000 Judgment in Commercial Lease Dispute

December 17, 2024

Fox Rothschild Leader on Landlords Mired in Pot Crackdown

December 5, 2024

Wish List Unlocked: Here's What Lawyers Want for the Holidays

August 26, 2024

Fox Rothschild Real Estate Litigation Team Wins \$1 Million Judgment in Commercial Lease Dispute

August 21, 2024

Commercial Contracts Cases Spike After COVID-Era Decline

June 6, 2024

Fox Rothschild Attorneys Nationwide Selected to 2024 Chambers USA List

January 18, 2024

Condo Can Evict Atty After Spat With Neighbor Justin Theroux

January 5, 2024

Justin Theroux's Problem Neighbor is Selling His Apartment

January 1, 2024

Residential Real Estate Cases to Watch in 2024

November 16, 2023

Justin Theroux Turns Up in NYC Court in Bid to Evict 'Nuisance' Neighbor

March 23, 2023

Fox Rothschild's Win for NY Commercial Landlord Narrows Use of Guaranty Law During COVID

September 28, 2022

How Landlords Can Legally Raise Rent

October 7, 2020

Real Estate Lawyers On The Move

October 2, 2020

Fox Rothschild Welcomes Real Estate Litigator Joshua Kopelowitz in New York

Events

December 10, 2024

Co-op & Condo Webinar Series: Enforcement Tools for Co-op and Condo Boards
Webinar

December 1, 2019

Legislative Outlook: Rent Regs & Climate Mobilization Act

March 8, 2019

The Residential Review: A Rental and Condo Market Report

Publications

April 4, 2024

The Guaranty Law Continues to Divide Opinion
New York Real Estate Law Reporter

June 29, 2023

A Clearer Path to Speedy Guaranty Litigation in NY Courts
Law360

April 25, 2023

Court Adopts Narrow Interpretation of Familial Exception to Summary Proceedings
New York Law Journal

October 2022

The Guaranty Law Only Guarantees a Broken Contract
New York Real Estate Law Reporter

March 9, 2021

A Viable Eviction Option For NYC Commercial Landlords

Law360

2019

Show You the Money... How Will Depend on Your Note or Guaranty

New York Law Journal

November 8, 2019

Let Freedom (of Contract) Ring: Yellowstone Waivers Are Enforceable

New York Real Estate Law Reporter

November 5, 2018

As It Turns Out, Yellowstone Waivers Are Enforceable

New York Real Estate Law Reporter

September 1, 2016

Common Law Right to Use Self-Help to Evict a Commercial Licensee

New York Law Journal