

Gerry Silver

Partner

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Gerry is the leader of Sullivan's Litigation Group. He has unique experience in software, licensing, internet and IT outsourcing and implementation disputes. He also regularly represents clients in financial services disputes, IP disputes, Founder disputes, stock option disputes, employment discrimination/restrictive covenant litigation, and other business disputes. Gerry has substantial trial experience in state and federal courts throughout the country, in appellate proceedings, and in arbitration.

Gerry's recent representations include Capgemini, Simplus (Infosys), RWS (formerly SDL), DarioHealth, Nano Dimension, Inspira, parcelLabs, CyberArk, Montran, Spotify, EY, VICE, Launch Capital, KLP Enterprises, Alliance Global Partners, Greenleaf Compassionate Care Center, The Jewish Agency For Israel and the World Zionist Organization. Gerry recently represented a Holocaust survivor against a wrongful taking of his property. Gerry also represents antique race car dealers and purchasers, including defending an action asserted by Jerry Seinfeld and commencing an action on behalf of Adam Levine.

Education

- Fordham University School of Law (J.D.)
 - Fordham Law Review - Associate Editor
- State University of New York at Albany (B.S., *magna cum laude*)
 - Accounting

Bar & Court Admissions

- New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Northern District of Illinois
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- Supreme Court of the United States

Capabilities

- Anti-corruption and the Foreign Corrupt Practices Act
- Complex Commercial & Financial Disputes
- Employment & Benefits
- Employment Counseling & Litigation
- Energy, Infrastructure & Sustainability
- Fintech & Blockchain
- Hi-Tech
- Information Technology Litigation
- Intellectual Property
- IP Litigation
- Licensing
- Litigation
- Privacy & Data Security
- Securities Litigation
- Software Anti-Piracy and Litigation
- Trademarks

Professional Qualifications

- Member, Federal Bar Council, Second Circuit Courts Committee

Awards & Honors

- Thomson Reuters "Stand-Out Lawyer" (2025-2026)
- Recommended by *The Legal 500 U.S.* (2018-2026)
- New York *Super Lawyers* (2024-2026)

Matters

- Successfully obtained bench trial decision for client Simplus (an Infosys company) in multi-million dollar dispute in Delaware Superior Court relating to a Salesforce.com software implementation
- Successfully obtained a unanimous defense jury verdict for Sogeti (a Capgemini subsidiary) in a jury trial in Tampa, Florida, where plaintiff, a former employee, asserted race discrimination and retaliation claims seeking seven figures in damages
- Successful defense of a custom software developer of a telecommunications system against \$100+ million in claims arising out of alleged systems failures
- Obtained trial verdict in Federal Court — SDNY in software selection and implementation dispute relating to Oracle software
- Uncovered a massive fraud relating to a purported "second" Belize airport investment scheme and obtained favorable resolution for client, which resulted in imprisonment for the perpetrator
- Representation of cloud computing company to protect it against raiding of key executives
- Obtained payments in excess of \$50 million in connection with complex outsourcing disputes
- Obtained trial verdict to recover investment banking transaction fee in New York Supreme Court
- Regularly defend companies accused of poaching employees or misappropriating trade secrets
- Obtained arbitration award in breach of acquisition agreement proceeding, including full recovery of attorneys' fees
- Obtained dismissals in numerous executive employment discrimination actions and arbitrations, including based on race, sex, age, national origin, sexual orientation, religion, disability, retaliation and whistle-blowing under SOX and Dodd-Frank
- Obtained successful resolution in numerous IP and licensing disputes, including dismissal of alleged trade dress infringement relating to Ray-Ban sunglasses
- Obtained Ninth Circuit Court of Appeals reversal of award of attorneys' fees to independent contractor under State of Washington employment statute
- Representing Cap Gemini S.A. in connection with various tax challenges involving the DOJ and the IRS arising out of Cap Gemini's purchase of Ernst & Young's consulting business
- Obtained arbitration ruling in client's favor, after full evidentiary hearing, that individual was an Accredited Investor under Reg. D of the Securities Act of 1933

- Obtained a substantial settlement for systems integrator in dispute over adequacy of SAP Blueprint
- Represented investment bank in shareholder class action litigation regarding the Bre-X gold mining fraud; certification denied