

Walter D. Goldsmith, Esq.
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Attorney, Mediator, Arbitrator, Expert Witness

WORK HISTORY

Founding Partner, Goldsmith & Fass, 1998-present; Partner, Sonnenschein Sherman & Deutsch, 2004-08; Partner, Friedman, Krauss & Zlotolow, 1993-04; Partner/Associate, Phillips, Nizer, Benjamin, Krim & Ballon, 1979-93; Special Deputy New York State Attorney General, Department of Securities and Public Financing, 1973-79; Assistant District Attorney, Office of the District Attorney, Queens County, 1972-73.

EXPERIENCE AS AN EXPERT WITNESS:

More than 20 years and more than 25 matters.

REPRESENTATIVE EXPERT WITNESS MATTERS

Coops and condos

- Testified for homeowners in a multimillion dollar law suit regarding real estate taxes on homes, where the pivotal issue was whether the development should be characterized as a cooperative or a property owners association.
- Served as an expert on the issue of legality of formation and operation of a cooperative.
- Served as an expert on the issue of where registration of an offering plan had been efficiently processed by defendant.
- Consulted as an expert regarding rights and powers of condominium owners and commercial tenant.
- Consulted as an expert regarding purchase rights of tenants in a building being converted to condominium ownership.
- Testified in multiple matters regarding condominium components as part of units or common elements.

Commercial Leases

- Testified for a commercial tenant on the issue of whether an option to renew under the lease had been effectively exercised.
- Consulted as an expert regarding lease provisions for successive multi-year renewals.

Contracts to Buy and Sell Real Estate

- Served as an expert in cases as to whether attorney had exercised due care as determined by custom and practice in the industry.

Real Estate Brokerage

- Consulted as an expert regarding broker's right to multimillion dollar commission in procuring a lease for commercial space.

PROFESSIONAL LICENSES

Admitted to the Bar, New York, 1971.

PROFESSIONAL ASSOCIATIONS

New York State Bar Association (Real Estate Section, Committee on Cooperatives, Condominiums and Property Owners Associations).

EDUCATION

Queens College of the City of New York (BA); New York University School of Law (JD; LLM).

PUBLICATIONS, SPEAKING ENGAGEMENTS, AND TEACHING

EXPERIENCE

Publications

Co-author, "Cooperatives, Condominiums and Homeowners Associations," REAL PROPERTY PRACTICE GUIDE, Matthew Bender; "Mediation and Arbitration of Cooperative and Condominium Disputes," NEW YORK LAW JOURNAL; author, for 25 years, McKinney's Practice Commentaries to THE CONDOMINIUM ACT; author, for 25 years, of Practice Commentaries to the NEW YORK STATE SECURITIES LAW (THE "MARTIN ACT"), including COOPERATIVES AND CONDOMINIUMS; author "Alternative Dispute Resolution as a Problem Solving Device," publication, Commercial Leasing Law and Strategy, September 2010; author, "Cooperative and Condominium Disputes," NEW YORK LAW JOURNAL.

Speaking Engagements

Chairman, "Cooperatives, Condominiums and Homeowners Associations – The Emerging Role of the Attorney General," New York Practising Institute Program; "Real Estate Aspects of Franchising," convention of gas station/convenience store franchisors and franchisees, Miami, FL; "Shopping Center Leasing - Problems and Pitfalls," convention of shopping center owners and tenants, Washington, DC; Adjunct Professor, "Arbitration and Mediation," "Real Estate Workouts," and "Cooperatives and Condominiums," Baruch University of the City University of New York; Speeches at the New York Bar Association on real estate topics; has spoken for 15 years at the Annual Convention of the New York Counsel of Cooperatives and Condominiums including cooperative and condominium boards, real estate brokers, managers, and title companies.

Teaching Experience

Baruch College of the City University of New York: courses included building management, responsibilities of board of directors, rights of owners, work with contractors, subs and lenders, dealing with construction lending and construction contract problems.