



**Henry H. Korn, Esq.
Partner**

Henry H. Korn, a member of the Bar of New York (1974) and the United States District Courts for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit, is a graduate of Cornell University (A.B. 1968) and New York University School of Law (J.D. 1973) where he was Editor of the *Law Review*.

From 1973 through 1976, Mr. Korn was an associate with Davis Polk & Wardwell (New York City). He was appointed Assistant United States Attorney, Criminal Division, Southern District of New York in 1976 and served in that capacity through 1980.

Since completing his service as an Assistant United States Attorney, Mr. Korn has been continuously engaged in the private practice of law and specializes in construction, corporate, commercial, securities, and general litigation and appeals. Mr. Korn has tried over 150 cases and argued over 50 appeals in federal and state appeals courts.

Mr. Korn is one of the senior partners of the LePatner firm responsible for complex construction litigation.

- Mr. Korn successfully represented an institutional client that operates one of the country's most respected continuing care facilities in recovery of insurance proceeds from its carrier for damages sustained by the client in the course of construction of a major residential unit development. The matter was resolved after the United States District Court for the Southern District of New York granted summary judgment in favor of the firm's client declaring that the costs were covered by the builder's risk policy.
- Mr. Korn has represented two owner/builders in separate arbitration proceedings involving the conduct of the general contractor and construction manager handling the build out of their high-end Manhattan residential units. These proceedings involved over 43 hearing days and extensive forensic accounting evidence concerning the financial management of the projects by the contractor and construction manager.

- Mr. Korn successfully represented the owner of a landmark town house in Manhattan in proceedings in New York Supreme Court and before the NYC Department of Buildings to require a neighboring property owner to remove a three-story wall constructed by the neighboring property owner and attached to the town house, in violation of a court order and regulations of the Department of Buildings.
- Mr. Korn successfully represented the owner of a landmark district building in the West Tribeca Historic District in New York City to secure approval of the City Planning Commission to convert the building from industrial to mixed commercial and loft dwelling use.
- Mr. Korn was retained by the Board of Directors of a leading regional health care institution in connection with a review of the institution's construction projects undertaken over 8 years and advice to the Board on implementation of system wide construction management changes to insure compliance with governmental regulatory agencies and to control cost overruns. To accomplish the objectives of that engagement and provide a responsive report to the Board, Mr. Korn worked extensively with forensic auditors, who assisted in extensive interviews of the institution's staff and reviewed electronic and paper documentation.

Mr. Korn served as member of the Appellate Division, First Department Disciplinary Committee, from 1982 to 1988 and was elected and served as Councilman, Town of Mamaroneck in 1988. Mr. Korn is Adjunct Professor, Trial Advocacy, Pace University School of Law, and has served in that capacity since 1995. He is a member of the Association of the Bar of the City of New York.

Mr. Korn is a member of the Cornell University Council, having been appointed by the Cornell University Board of Trustees in 1999. Together with his wife, Mr. Korn acquired the original Nuremberg War Crimes papers of William Donovan, head of the OSS in World War II, and donated them to Cornell University for research.

With the assistance of a former client, a scholarship was established at Cornell University for research on war crimes prosecutions. That client endowed a lecture at Cornell Law School entitled, "The Art, Commerce and Ethics of Contemporary Law." The Cornell lecture series attracts national speakers to address issues involving the practice of law. Lecturers have included the Chairman of the Board of one of the country's largest tobacco companies, the Attorney General, State of New York, and the United States Attorney for the Southern District of New York who addressed the Cornell University community about the role of the Justice Department in the war against terrorism in the aftermath of the September 11 attacks on the World Trade Center and Pentagon. In October 2003, Mr. Korn co-moderated a panel discussion at Cornell Law School entitled "Accountability for War Crimes in Iraq". The panel included the Special Assistant for War Crimes to the CIA Director and former Clinton Administration Ambassador at Large for War Crimes.

Mr. Korn established the Henry H. Korn Fund for Criminal Justice, which endowed the Domestic Violence Clinic at Pace University School of Law in 1997 for Pace Law students to

work with the New York County District Attorney's Office in investigating and prosecuting domestic abuse cases.

Mr. Korn has authored several articles in the *New York Law Journal* including: "District Attorney Scandal in the Duke University Case," January 3, 2007; "Pitfalls of Construction Facing the Owner: Accounting Traps Found in Standard AIA Documents," November 20, 2006; "The Limits on the Crime Victim's Counsel to Threaten Referral to Law Enforcement Authorities," published February 25, 2005; "Insuring Construction Against Water Infiltration and Mold Contamination," October 25, 2004; and "Building Security Measures and Owner Liability After Sept. 11," May 1, 2003. The latter two were co-authored with partner Barry B. LePatner. Mr. Korn also co-authored, "Sarbanes-Oxley's Wake-Up Call to the Construction Industry: Leveraging Compliance and Internal Controls to Manage Risks" with Barry B. LePatner and Anthony S. Chan of Berdon LLP in *The CPA Journal's* December 2007 issue. Mr. Korn's article entitled "Curbing Deficient Construction Practices in Hospital Projects" is expected to be published in the Fall 2010 in a major academic publication. A copy of the article appears in the Summer 2010 edition of the LePatner Report.