

For more information please contact Brad Gerstman at [bgerstman@gerstmanschwartz.com](mailto:bgerstman@gerstmanschwartz.com)

Dear Clients, Friends and Colleagues:

In light of the COVID-19 pandemic, borrower costs for companies around the world are rising dramatically despite central bank interest rate cuts. Rating agency Moody's estimates the default rate for speculative-grade companies could hit nearly 10 percent, however, there are programs available now to businesses that will allow them to receive loans at affordable interest rates. Our law firm, Gerstman Schwartz LLP, along with our lobbying arm, Gotham Government Relations & Communications, are uniquely qualified to navigate these loans for you in order to maximize your organization's ability to survive during these trying times. Our fees to fill out the necessary applications and navigate these waters on the federal, state and local levels on your behalf will be a discounted flat rate for all services.

Gerstman Schwartz LLP and Gotham Government Relations & Communications are here to provide assistance in obtaining cash to offset lost revenue and help keep your business afloat during the COVID-19 pandemic. If your business needs cash to help alleviate economic injury caused by the Coronavirus (COVID-19) pandemic, the programs below can help.

### **Basic Overview of SBA loans:**

- Can be used to pay fixed debts, payroll, accounts payable, other bills that cannot be paid, and refinance other long-term debts
- Maximum interest rate for small businesses is 3.75%
- Maximum interest rate for non-profits is 2.75%
- Loan terms – maximum of 30 years
- Loan Amount limit - \$2,000,000.00 (loan limit will be waived if business is a major source of employment)

These loans may be used to pay fixed debts, payroll, accounts payable and other bills that cannot be paid because of the disaster's impact. For additional information in applying for the below benefits, or assistance in the application process, please reach out to a member of our team:

Brad Gerstman – [bgerstman@gerstmanschwarz.com](mailto:bgerstman@gerstmanschwarz.com)

David Schwartz – [dschwartz@gerstmanschwarz.com](mailto:dschwartz@gerstmanschwarz.com)

Randy Kleinman – [rkleinman@gerstmanschwarz.com](mailto:rkleinman@gerstmanschwarz.com)

Nicole Epstein – [nepstein@gothamgr.com](mailto:nepstein@gothamgr.com)

## **SBA ECONOMIC INJURY DISASTER LOANS (EIDL)**

In response to the Coronavirus shutdown, the U.S. Small Business Administration is offering designated states and territories low-interest federal disaster loans for working capital to small businesses suffering substantial economic injury as a result of the Coronavirus (COVID-19). As of March 19, 2020, The Small Business Administration determined that the following areas are being adversely affected by the disaster and are NOW eligible for EIDL assistance: all counties within the State of New York; the contiguous Connecticut counties of: Fairfield and Litchfield; the Massachusetts county of: Berkshire; the New Jersey counties of: Bergen, Hudson, Passaic and Sussex; the Pennsylvania counties of: Bradford, Erie, McKean, Pike, Potter, Susquehanna, Tioga, Warren and Wayne; and the Vermont counties of: Addison, Bennington, Chittenden, Grand Isle and Rutland.

- **Disaster Loan Assistance Available: Economic Injury Disaster Loans (EIDLs)** are working capital loans to help small businesses, small agricultural cooperatives, small businesses engaged in aquaculture, and most private, non-profit organizations of all sizes meet their ordinary and necessary financial obligations that cannot be met as a direct result of the disaster. These loans are intended to assist through the disaster recovery period.
- **Credit Requirements:**
  - ***Credit History*** – Applicants must have a credit history acceptable to SBA.
  - ***Repayment*** – Applicants must show the ability to repay the loan.
  - ***Collateral*** – Collateral is required for all EIDL loans over \$25,000. SBA takes real estate as collateral when it is available. SBA will not decline a loan for lack of collateral, but SBA will require the borrower to pledge collateral that is available.
  - ***Interest Rates:*** The interest rate is determined by formulas set by law and is fixed for the life of the loan. The maximum interest rate for small businesses under this program is 3.750 percent. The maximum interest rate for non-profits under this program is 2.750 percent.

- **Loan Terms:** The law authorizes loan terms up to a maximum of 30 years. SBA will determine an appropriate installment payment based on the financial condition of each borrower, which in turn will determine the loan term.
- **Loan Amount Limit:** The law limits EIDLs to \$2,000,000 for alleviating economic injury caused by the disaster. The actual amount of each loan is limited to the economic injury determined by SBA, less business interruption insurance and other recoveries up to the administrative lending limit. SBA also considers potential contributions that are available from the business and/or its owner(s) or affiliates. If a business is a major source of employment, SBA has the authority to waive the \$2,000,000 statutory limit.
- **Loan Eligibility Restrictions: Noncompliance** – Applicants who have not complied with the terms of previous SBA loans may not be eligible. This includes borrowers who did not maintain required flood insurance and/or hazard insurance on previous SBA loans.
- **Refinancing:** Economic injury disaster loans cannot be used to refinance long term debts.
- **Insurance Requirements:** To protect each borrower and the Agency, SBA may require you to obtain and maintain appropriate insurance. By law, borrowers whose damaged or collateral property is located in a special flood hazard area must purchase and maintain flood insurance. SBA requires that flood insurance coverage be the lesser of 1) the total of the disaster loan, 2) the insurable value of the property, or 3) the maximum insurance available.

## **NEW YORK CITY EMPLOYEE RETENTION GRANT PROGRAM**

- Small businesses with one to four employees can apply for a grant of up to \$27,000 that covers 40% of payroll costs over the course of two months.
- In order to apply, a small business must show that they lost 25% of their revenue due to the Coronavirus.
- Applicable businesses must be located in one of New York City's five boroughs, have been operating for six months or more and have no current tax liens or legal judgments.
- If you are interested in having The Firm help you apply for this program please submit to us your financial documentation showing your revenue decrease and how it compares to this time last year, plus payroll records and bank account information.

## **NEW YORK CITY SMALL BUSINESS CONTINUITY FUND**

- If your business has fewer than 100 employees, and has been open for at least two years, you can get up to \$75,000 in interest-free loans from the city to cover revenue losses.
- Qualifying businesses are those within the five boroughs that have experienced at least a 25% reduction in revenue.
- You cannot have any tax liens or legal judgments against you, and you must prove a loss in revenue and that you are able to repay the loan.
- Applications for NYC Small Business Contingency Fund are not yet open, but we will continue to notify you all when submissions open
- In the meantime, gather documents that show your decrease in revenue including 2019 tax returns, bank statements and point-of-sales reports.

## **FEMA FUNDING**

In many disasters, small businesses suffer the most devastating damage. The Federal Emergency Management Agency (FEMA) can provide financial assistance to these businesses to help support recovery. While FEMA's role in the current COVID-19 pandemic, if any, is currently unknown, it is likely that such support will be available. This aid will likely include economic injury disaster loans to provide working capital to assist companies through the disaster recovery period. Although these loans are typically available only when a business or its owners cannot obtain this type of assistance from non-government sources, the unique circumstances presented by COVID-19 will probably allow businesses to seek assistance through multiple sources.

Navigating FEMA's nuanced rules and regulations can be a daunting and time-consuming task, often requiring very particularized knowledge and expertise. Fortunately, we are experts in these matters and can help maximize the benefits available to your business at **no cost** to your business.

## **FORCE MAJEURE EVENTS, IMPOSSIBILITY OR FRUSTRATION**

A force majeure event refers to the occurrence of an event which is outside the reasonable control of a party and which prevents that party from performing its obligations under a contract. English common law has no general concept of force majeure (save for the limited doctrine of contractual frustration, which is addressed below). A party's ability to claim relief for a force majeure event therefore depends upon the terms of the contract, and the force majeure provision in particular. Force majeure provisions are express terms and will not ordinarily be implied into contracts governed by English law.

The “test” for force majeure usually requires the satisfaction of three distinct criteria: (1) the event must be beyond the reasonable control of the affected party; (2) the affected party’s ability to perform its obligations under the contract must have been prevented, impeded or hindered by the event; and (3) the affected party must have taken all reasonable steps to seek to avoid or mitigate the event or its consequences.

A party affected by such an event of force majeure will typically be relieved from performing the obligation affected for the duration and to the extent affected and may be entitled to compensation. As with all matters dependent upon the terms of the contract, each force majeure provision must necessarily be considered on its precise terms and in its specific context. Significantly, although the economic downturn and government regulations have affected business, this is not necessarily enough to excuse nonperformance. In fact, economic factors, although seemingly unpredictable, are an inherent part of all sophisticated business transactions and could therefore be viewed as foreseeable. Typically, a party will need to demonstrate something more to avoid contractual obligations.

If force majeure is not applicable to your situation, one may seek to excuse nonperformance under the doctrine of impossibility of performance or frustration of purpose. Impossibility occurs when: (1) the contract does not expressly allocate the risk of the event’s occurrence to either part; and (2) to excuse the party who is unable to perform would comport with customary risk allocation. Frustration of purpose focuses on events that materially affect the consideration received by one party for its performance. Both parties can perform, however, as a result of unforeseeable events, performance by one of the parties would no longer give the other party what had induced that party to make the bargain in the first place. Performance can be excused when a catastrophic and unforeseen event renders the contract valueless to one party.

Should you desire, we are available and prepared to review and evaluate these options for all of our clients.

## **INSURANCE CLAIMS FOR BUSINESS INTERRUPTION AND CIVIL AUTHORITY**

Many commercial property insurance policies include coverage for business interruptions resulting from “direct physical loss or damage” to the insured’s property due to a covered peril that causes a suspension of the insured’s business. This means that certain insurance policies might cover financial losses caused by such an event. Whether or not your policy covers losses stemming from COVID-19 and the government’s response will depend on your insurance policy’s coverage provisions and the specific language of these provisions. This can be a complicated determination and will often require relying on additional coverage provisions

and/or sub-provisions in order to be successful. We regularly assist clients in pursuing these types of claims and are available to review your options.

## **ESSENTIAL BUSINESSES**

We are fully cognizant of the havoc that has been caused on your business by Executive Order 202.6, which has all but shut down the economy, except for essential businesses. But we know that *all business is essential*, and we are ready, willing and able to articulate to the Executive Branch of New York why *your* business is essential. We can immediately make that application on an emergency basis and we will do this at a flat discounted rate.

## **MORE OPPORTUNITIES**

Our legal and lobbying teams are in the process of scouring new opportunities to keep our clients and friends in business. We are only at the beginning and this is just the first of many opportunities to keep the doors open and feed the families of your entire teams. There will be *trillions* of dollars made available at the federal level that will trickle down to the states. We are all in this boat together and we love New York. Our team is made up of lifelong New Yorkers and we will not let this virus defeat us. We will fight each and every day for you to make sure that we bring you solutions that will enhance your businesses. We are 24-7/365. Please check out our websites at [www.gerstmanschwartz.com](http://www.gerstmanschwartz.com) and [www.gothamgr.com](http://www.gothamgr.com) and/or call us at 516-880-8170.

## **OUR TEAM**

**David M. Schwartz** has spent his entire career practicing law as a litigator and, for over a decade, as a government relations specialist and advocate on behalf of businesses, trade associations, not-for-profit organizations and individuals. Whether it is in the courtroom defending litigants in high profile civil cases or advocating on behalf of clients in the halls of the Capitol, Mr. Schwartz follows the same philosophy and attitude: advocate aggressively and passionately for the client. Mr. Schwartz has represented clients at all ends of the spectrum, including some of the largest companies in the United States and some of the least fortunate victims in our society on criminal matters.

David Schwartz served the People of the State of New York as an Assistant District Attorney in Kings County from 1993 through 1997. As an Assistant District Attorney, Mr. Schwartz handled hundreds of criminal prosecutions. He successfully tried numerous felonies and misdemeanor cases which lead to the conviction and incarceration of many criminals. He has handled hundreds of criminal cases in private practice and has tried many of those cases. Mr. Schwartz also represents various businesses and counsels them on all legal issues and political issues. Mr. Schwartz is admitted in the United States Supreme Court, United States District Court of New

York, Eastern and Southern Districts, United States Tax Court, New York State Supreme Court, New York City Criminal and Civil Court, and Nassau County District Court. Mr. Schwartz has argued appeals in the New York State Appellate Division, First and Second Departments and the United States Court of Appeals (2nd Department). Furthermore, he has appeared Pro Hoc Vice in the United States District Court of New Jersey.

Mr. Schwartz presently concentrates his practice on government relations at his firm. Mr. Schwartz is also a prolific political fund raiser, having raised hundreds of thousands of dollars nationally. Mr. Schwartz routinely uses his trial skills in the capitol halls of Albany, New York as a fierce advocate for his clients. Mr. Schwartz has worked tirelessly in keeping Walmart out of NYC; stopping No Fault Insurance fraud; stopping illegal cigarettes in entering the market place, fighting government agencies in stopping progress, vigorous representation of supermarkets, campaign to change the standard of care in the reprocessing of endoscopes, hedge funds, insurance companies, special needs and development schools, major construction projects, towns and municipalities and many others.

Mr. Schwartz has been a regular guest political commentator for the Fox News Channel, NBC Today Show, MSNBC, Headline News, CNN, WABC News, Fox & Friends, WPIX, Court TV and the ESPN morning show. Mr. Schwartz has been asked by these television networks to give legal and political analysis and his expert opinion on criminal cases, constitutional legal issues, political issues, civil cases, cases in front of the Supreme Court and local political figures. He has also been quoted frequently on political matters in the New York Post, New York Times, New York Daily News, Wall Street Journal, New York Law Journal and hundreds of other periodicals nationally. Mr. Schwartz was appointed by the New York State Senate as a Commissioner on the Commission on Judicial Nomination which nominates Justices to the New York State Court of Appeals and also served as a Trustee of the Brooklyn Bar Association. Mr. Schwartz was also appointed by the Governor to serve on the Board of the New York Jacob Javits Convention Center. Mr. Schwartz is able to bring together his vast experience in law, business, media and politics and uses every advocacy tool available in order to achieve results for clients.

Active in his profession and community, Mr. Schwartz has served as a board member of the Metropolitan Transportation Authority, Inspector General Management Advisory Board, New York Javits Center Convention Center Operating Corporation, and has been a Commissioner to the Commission on Judicial Nomination. He is also served as Vice-Chairman to the Criminal Courts Committee and Criminal Justice Committee and is members of the Nassau County Bar Association, Government Affairs Professionals. Mr. Schwartz served as president for the Temple Sinai of Roslyn and is the current Legal Officer. He is the former Regional Governor for Sigma Alpha Mu Fraternity, and Seneca Club's Man of the Year.

**Bradley L. Gerstman** is a leading New York State attorney, lobbyist, and communications specialist. His diverse background and extensive experience in law, business, government relations, education, and the not-for-profit community places him in a unique position to represent and advocate for a broad range of clients and causes.

Most recently honored with the Leadership in Law award by Long Island Business News in the Partners category, Brad has been celebrated for his ability to provide clients with a unique blend of legal, political, and business experience. Mr. Gerstman has been a member of the New York State Bar since 1994 and has developed a remarkable reputation as a defense attorney, prosecutor and general corporate counsel. His distinguished career as a litigator began when Brad was appointed as an assistant district attorney in the Bronx. In this role, Brad faithfully served New Yorkers through his investigation of corporate fraud and corruption cases, as well as his tenacity in persecuting violent criminals. From the DA's office, Mr. Gerstman went on to head a law firm that focused on criminal defense and general litigation. During this period he handled numerous high-profile cases that included the protection of children from lead-based paint, and advocating for the rights of senior citizens. In addition, Brad is a member of the Education Law Association and the Nassau County Bar Association's Education Law Committee.

As both a personal donor and successful fundraiser, Mr. Gerstman has built a political career that spans all levels of government and encompasses pertinent figures from both sides of the political spectrum. He has served on a number of Finance Committees and has been sought out by some of the most prominent members of government for both campaign guidance and fundraising aid. It is this exceptional fundraising prowess that has allowed Brad to create an incomparable reputation in New York.

Mr. Gerstman's exceptional track record for building both strong relationships and successful coalitions has earned him the respect of important policy makers and community advocates, who he has guided through in constructing essential legislation for the state of New York. Through years of experience, Mr. Gerstman has developed the skills necessary to steer his clients through the complex legislative, political, and bureaucratic processes, while concurrently serving as their spokesperson. With progressive strategies, he has acquired the ability to tap into political trends and opportunities, which enable him to identify and overcome obstacles for his clients. Brad's work has resulted in the shaping of public policy in a number of areas including business advocacy, land use, construction, municipal matters, special education, and charitable causes. His passion even led to two successful exploratory campaigns in the past.

Mr. Gerstman is a strong advocate for children with special needs. He currently acts as both co-founder and board member of the Lisa Beth Gerstman Foundation, a family foundation that provides summer camp experiences to children with physical and developmental disabilities. In the past, Brad has also served as the Long Island Advocacy Chair for Autism Speaks, one of the nation's largest autism advocacy organizations, as well as Advocacy Chair on the 2007 Long Island Walk Now for Autism Planning Committee. In 2008, Brad was appointed by former Nassau County Executive Tom Suozzi to chair his Autism Coalition. In addition, Mr. Gerstman was elected by the Long Island Autism Coalition Board to serve as Counsel to their organization.

Active in both his professional life and community, Mr. Gerstman has been appointed by the Nassau County Legislature to act as a member of the Board of Directors for the Nassau Health Care Corporation. As chairman of the Facility Committee, Brad spearheaded a \$750 million makeover of the hospital, clinics, and senior living facility. In addition, Brad served on the executive committee for the hospital, and acted as Vice Chair and Board Member of the Long



Island Medical Foundation. Mr. Gerstman was appointed by Governor Patterson to the Governor's Council on Interactive Media and Child Violence. In the past, Brad has been named Honoree at the Child Abuse Prevention Services yearly Gala for his work in protecting children. Additionally, Mr. Gerstman holds memberships on various political committees and is currently a Board member of the Holocaust and Tolerance Center of Nassau County and the Adelphi President's Council.

At his alma mater Hofstra University, Brad played 4 years of varsity football. In his spare time, he enjoys competitive boxing and supporting all New York professional sports teams except for the Jets.

**Charles Ribando** has had a distinguished 30-year career in public service recognized for his successful leadership in government administration, public safety and law enforcement. Providing a wide breadth of functions for a number of agencies, Chuck has an in-depth understanding of agency needs in assessment, planning, investigation methods, and project management at all levels. He is a leader in investigation methodologies from local street and violent crime to global terrorism and corruption. He has also spearheaded investigations in foreign lands, critical hostage negotiations and high-profile crime and terrorism investigations. Chuck also has extensive background in areas such as homicide and special victim's investigations, law enforcement computing systems, and gang investigations.

Mr. Ribando was appointed as Nassau County's Deputy County Executive for Public Safety in 2015. Prior to his appointment under the County Executive, Mr. Ribando managed investigations for the Nassau County District Attorney, originally as the Chief investigator and then as Executive Chief of the DA's Investigative Division. He has noted achievements in handling high priority cases and interagency activities and is also responsible for creation of the Pharmaceutical Crimes Unit and the Human Trafficking Task Force, Gun Task Force and Witness Protection Unit.

From 2003-2006, as Supervisor of Detectives and Federal Agents for the NYPD's FBI-NYPD Joint Terrorism Task force, holding National Top Secret and SCI clearances, Chuck coordinated international investigations between many agencies, including the FBI, CIA, DOJ,, DOD and US State Department, among others.

Chuck has regularly been engaged to advise teams and to speak on this broad spectrum of expertise including his focus on collaborative government administration. He has repeatedly received recognition for his institution of processes that ensure more collaborative services, not only in public safety, but across all agencies.

**Former Congressman Gary Ackerman** represented the 5th and 7th Districts of New York (Queens) in the United States Congress for 30 years, before retiring in 2013. He had previously served as a New York City public school teacher and as a New York State Senator.

As one of the top Democrats on the House Foreign Affairs Committee, he led the national debate on key issues from North Korea to Kashmir, Gaza to Iran, and Ethiopia to China. He served as Chairman of the Subcommittee on the Middle East and South Asia, Vice Chair of the House Committee on International Relations and the Chairman of the Subcommittee on Asia and the Pacific, among others.

Representative Ackerman became the first person allowed to cross the DMZ dividing the Korean Peninsula after meeting with the North's founding dictator Kim Il Sung. Those discussions were the beginning of what was to become the Basic Framework Agreement in which the North ceased (at least at that time) their march towards a nuclear bomb. A founder and Chairman of the House Caucus on India, Ackerman successfully steered the U.S.-India Civil Nuclear Energy Agreement through Congress.

The Congressman was also a senior member of the powerful Financial Services Committee, where he held seats on the Subcommittee on Capital Markets and Government Sponsored Enterprises and on the Subcommittee on Financial Institutions and Consumer Credit. Known for his bipartisan, common-sense approach, he successfully shepherded the post-9/11 bipartisan Terrorism Risk Insurance Act (TRIA) through the House.

Congressman Ackerman is President Emeritus of the International Conference of Jewish Parliamentarians, and has served as the Congressional Delegate to the United Nations. He was a very effective Representative for his district and the country, and his influence was felt around the world. His respect in the Jewish, Arab and Asian worlds is universal. In the heat of the 'Arab Spring', he negotiated the release and brought home a constituent who had been languishing in an Egyptian prison.

**Stuart Seldowitz** brings a distinguished career in federal and state government with interests in governmental, political, and business fields. Mr. Seldowitz comes to his work at Gotham Government Relations after nearly a thirty year career with the United States Department of State and New York State. In the early 2000s, he worked as Acting Director for the National Security Council South Asia Directorate under the order of the Executive Office of the President. His expert-level knowledge and analysis of India and South Asia were critical to the success of the National Security Council and to senior management, including the President of the United States.

Mr. Seldowitz has worked on some of the most difficult political, trade, and national security issues facing the United States throughout his career, including relations with Afghanistan, the Middle East, Mexico, and South Africa. He has also worked extensively on issues concerning European security and nuclear arms control.

While working for the New York State government, Mr. Seldowitz designed state level programs to help New York companies identify market opportunities, attract foreign investment to New York, and compete successfully overseas.

Mr. Seldowitz is a three-time winner of the State Department's Superior Honor Award. He speaks fluent Spanish and is a graduate of George Washington University.

**Shai Franklin** is a veteran non-profit executive with extensive experience in government relations, grassroots and diplomatic advocacy, and board development and capacity-building. His humanitarian and policy work has taken him for long periods to Geneva, Jerusalem, Moscow, and Mumbai.

Mr. Franklin has testified in the U.S. Congress and New York State Legislature, and addressed numerous international fora of the OSCE, United Nations, the Interparliamentary Conference on Human Rights and Religious Freedom, and the International Economic Forum in Kharkiv, Ukraine. He has conducted research in France on Muslim-Jewish relations, under the auspices of the Ministry of Foreign Affairs, and has appeared as an expert on TV networks around the world. A former magazine editor, he was ranked number-eight on JTA's 2009 list of the "100 Most Influential Jewish Twitter Users."

Mr. Franklin has provided private consulting and government relations services to Ukrainian officials and Jewish organizations, organizing VIP visits and official government delegations and engineering high-level international conferences in Kyiv promoting interfaith relations and international cooperation to combat anti-Semitism. As a top professional with the World Jewish Congress, Mr. Franklin served several years as Treasurer of the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations (CONGO), and was one of the organizers of the International Council of Jewish Parliamentarians.

Mr. Franklin has developed numerous initiatives in the United States, and shaped and shepherded legislation that became U.S. Public Law. As Director of Governmental Relations for NCSEJ (formerly, National Conference on Soviet Jewry), he was instrumental in negotiating the human rights protocols for newly independent republics to be graduated from the Soviet-era Jackson Vanik law guidelines for U.S. trade. He was also a key player in OSCE's adoption of the 2004 Berlin Declaration, a mandate for monitoring and combating anti-Semitism throughout Europe and North America. Working with other NGOs and the energy sector, Mr. Franklin advocated for freeing Azerbaijan from restrictions under Section 907 of the U.S. Freedom Support Act.

**Antonio C. Martinez II** is a native New Yorker, and the son of immigrants from the Dominican Republic. He earned his Bachelor of Science Degree in Industrial and Labor Relations from Cornell University and a Juris Doctorate Degree from Brooklyn Law School. He attended the United States Capitol Page School and is a graduate of New York Military Academy. His father, the late Antonio C. Martinez, Esq., was one of the first Dominican-American members of the New York State Bar. The Martinez family has been providing legal services since 1956.

Mr. Martinez began working with the U.S. Congress at the age of 16 when he served as a Senate Page to the late U.S. Senator Jacob Javits in 1980 and for the U.S. Senate Majority Leadership in

1981. His past government experience includes positions with the U.S. Senate Library, the U.S. Department of Justice, Civil Division, Admiralty and Environmental Law Section in New York City, the Legal Division of the New York City Council, and as a Mediator for the Community Dispute Resolution Center of Kings County, New York. His past corporate experience includes service as Vice President of Government Relations and Consumer Health at American Specialty Health Inc., San Diego, CA, and Vice President and General Counsel to Elant Inc, in Goshen, New York. He also served as President and Executive Director of Somos el Futuro Inc. from 2010 to 2013 and continues to serve the organization in other capacities. He is also a Board member of the Dominican American National Roundtable.

Through a diverse professional legal background and experience in government, corporate, political, and public interest arenas, Mr. Martinez is able to bring a diverse set of skills to bear for his clients. He knows how to work with people and government. He helps them manage complex issues and seek conflict resolution and settlement of disputes.

Mr. Martinez also has significant business and legal experience in Latin America and the Caribbean, including Cuba, Colombia, the Dominican Republic, and Puerto Rico. Mr. Martinez has traveled extensively and has visited 45 of the 50 states and 26 foreign countries in Europe, Asia, and Latin America. Mr. Martinez is a prolific public speaker and regularly appears in print and broadcast media.

He is a member of the State and Federal Bars of New Jersey, New York, and the District of Columbia. As an Attorney at Law, he maintains a Distinguished Level rating by Martindale Hubbell for more than fifteen years.

**Randy E. Kleinman** is an established trial and appellate attorney with experience litigating complex commercial and civil rights matters. Mr. Kleinman brings his skills and expertise to Gerstman Schwartz LLP and Gotham Government Relations & Communications, to work in areas where traditional law and litigation intersect with public policy and politics.

Prior to joining the private sector, Mr. Kleinman was an Assistant Corporation Counsel for the New York City Law Department where he served as a Trial Specialist. In this role, Mr. Kleinman tried cases throughout the five boroughs, earning a reputation as a passionate and effective trial lawyer. Mr. Kleinman has represented the City, law enforcement officials and firefighters in cases involving allegations of false arrest, false imprisonment, malicious prosecution, assault, battery, excessive force and negligence, at both the state and federal levels. Among these matters, Mr. Kleinman played a leading role defending police officers in several high-profile matters including police shootings, videotaped instances of police misconduct, and prisoner deaths. He has also argued winning appeals in both the First and Second Appellate Departments.

Mr. Kleinman received his J.D. from New York Law School, where he graduated with honors and was awarded the Professor Robert R. Rosenthal Award for Excellence in New York Practice. While in law school, Mr. Kleinman was a member of the Moot Court Association, where he

competed in appellate competitions throughout the country, earning multiple awards for both his writing and oral advocacy skills.

Mr. Kleinman is admitted to the Bars of the States of New York and California, 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.

**Nicole Epstein**, Senior Associate at Gerstman Schwartz LLP and Gotham Government Relations & Communications, is a passionate and zealous advocate for those she represents by utilizing the related worlds of law, government, business, media, and the wider community at large, to achieve unparalleled success for her clients.

Nicole specializes in land use, zoning, construction, department of building matters, education, transportation, health care and agency law. Nicole spearheads Gerstman Schwartz LLP and Gotham's initiatives by persistently publicizing her clients' issues in the news and holding government actors accountable for their actions.

Nicole graduated from Stony Brook University magna cum laude with a B.A. in Psychology and was inducted as a lifetime member to Psi Chi, the National Honor Society for Psychology. After graduating from Stony Brook, Nicole received her J.D. from the Maurice A. Deane School of Law at Hofstra University in 2015. During law school, Nicole worked for Luxottica Group's IP department for two years, a multinational company, where she negotiated and drafted multi-million-dollar contracts for high-profile public figures. Additionally, Nicole has been named as one of the most powerful people in Public Relations in city&state's Political PR Power list (2020) and recognized by the Maurice A. Deane School of Law at Hofstra University as an 'Outstanding Woman in Law' (2020).

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