

People



## Joseph G. Silver

Partner, Litigation  
Professional Liability

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vCard

Joseph Silver evaluates professional liability claims against law firms and advises their general counsel on pre-suit, confidential resolutions, as well as leading the defense for AmLaw 100 and 200 firms in high-stakes legal malpractice matters. He works with clients to negotiate and draft settlement agreements, structured settlements, and general releases in multi-million dollar lawsuits, breach of fiduciary duty and judiciary law §487 actions, and insurance coverage and lender liability actions. He also handles breach of contract and declaratory judgment actions on behalf of domestic insurance carriers, and has drafted and argued motions to dismiss, for summary judgment, and appeals in New York Supreme Courts, Appellate Divisions, and Courts of Appeals.

Joseph also has experience representing and advising insurance companies, corporations, insureds, and individuals in insurance coverage actions, first-party property litigation, and served as lead defense counsel for major property insurer in all of its non-NFIP Superstorm Sandy litigation in the Eastern District of New York. Additionally, Joe works with clients to evaluate commercial general liability, commercial fleet, and directors and officers insurance policies and draft coverage opinions.

### Notable Work

**Legal Malpractice for National Law Firm:** Won dismissal, pre-answer, of a complaint against a New York-based, national law firm for alleged malpractice arising out of an underlying employment insurance coverage case. Won affirmance of dismissal on appeal.

**Legal Malpractice for International Law Firm:** Won dismissal, pre-answer, of a complaint against a Pennsylvania-based, international law firm for alleged malpractice in connection with the advice and drafting of the terms of a settlement agreement.

**Legal Malpractice for New Jersey Law Firm:** Won dismissal, pre-answer, of a complaint against a New Jersey-based law firm for

### Areas of Experience

Professional Liability  
Insurance Litigation  
Litigation  
Insurance Regulation  
Class Action Defense

### Education

J.D., St. John's University School of Law, 2006  
B.S., Cornell University, 2002

### Admissions

#### Bars

New York

#### Courts

U.S. District Court, Northern District of New York  
U.S. District Court, Southern District of New York

### Related Content

Akerman's Litigation Bench Expands in West Palm Beach with Grasford Smith  
February 18, 2020

Veteran Litigator Joel Forman Joins Akerman in New York  
October 30, 2019

Akerman Deepens National Litigation Bench with Three Partners in Atlanta, New York  
September 18, 2019

alleged malpractice arising out of trust and estate advice. Won affirmance of dismissal on appeal.

**Banking Trust:** Briefed, argued, and won an affirmance, on appeal, of a pre-answer dismissal of a complaint against a banking trust seeking to extinguish a \$4 million mortgage on statute of limitations grounds. Leave was granted to the New York Court of Appeals.

**Insurance Carrier:** Obtained, at mediation, a discontinuance with prejudice of all claims against the largest lender-placed insurer in the U.S. in a mold exposure case. The insurer client contributed zero dollars to obtain the discontinuance.

**Personal Injury Claims:** Successfully mediated and settled, with a nominal contribution being made by our insurer client, an underlying personal injury action and its companion declaratory judgment action on the eve of trial.

**Insurance Claims from Superstorm Sandy:** Successfully coordinated and defended all wind and non-NFIP claims stemming from Superstorm Sandy in New York state and federal court for a major U.S. insurer.

## Related Professional Experience

- Office of U.S. Senator Charles E. Schumer, Intern
- Nassau County Legal Aid Society, Intern

## Published Work and Lectures

- *New York International Law Review*, Author, "The Global Partnership: The Final Blow to the Nuclear Non-Proliferation Regions?" Winter 2008