Scott K. Winikow

Partner
New York, New Jersey
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PRACTICE AREAS

Design Professionals
Professional Liability

EDUCATION

The George Washington University Law School, JD, *with honors*, 1993
Cornell University, BS, 1990

BAR ADMISSIONS

New Jersey
New York
Florida
US District Court, Southern District of New York
US District Court, Eastern District of New York
US District Court, District of New Jersey
US Court of Appeals for the Second Circuit

Overview

Scott Winikow is a seasoned litigator with extensive experience representing architects, engineers, and other professionals, as well as owners and contractors, in a variety of commercial and construction matters. With over 30 years of experience, Scott has successfully litigated complex matters at both the trial and appellate levels, as well as in arbitrations and other alternative dispute resolution venues nationwide. Scott has also been a presenter at various CLE programs on risk management and professional liability.

Previously, Scott was a partner at Donovan Hatem, which was acquired by MG+M The Law Firm.

Experience

+ Obtained favorable arbitration award in favor of a MEP engineer relating to design defects in a luxury multi-family housing development in which the three-person arbitration panel awarded the claimant approximately ten (10) percent of the amount sought.
+ Obtained defense verdict in favor of A/E firm in personal injury action in which plaintiff and co-defendants argued that plaintiff's injuries were caused by defective design and/or improper site observations of A/E.
+ Successfully moved to dismiss contractor's claims against architect for additional costs incurred as a result of alleged improper plans and specifications prepared by architect since contractor lacked privity, or its functional equivalent, with architect.
+ Successfully moved to dismiss RICO claims against client in action commenced in the Eastern District of New York.
+ Successfully obtained reversal of decision denying motion to dismiss against architect firm in the Appellate Division, Second Department
+ Successfully moved to dismiss condominium unit Owner's indemnification claim against architect for water and mold damage to adjacent unit because Owner had a contractual and statutory duty to keep its unit in good repair.
+ Obtained $1 million arbitration award in favor of client for breach of contract claim against a Fortune 100 Company, as well as a dismissal of counterclaims for liquidated damages and remedial costs.
+ Successfully moved to dismiss Condominium Association's

indemnification claim against architect for alleged violations of the Americans with Disabilities Act (“ADA”).
+ Obtained summary judgment in favor of architect in personal injury action on the grounds that the architect did not supervise nor control the injured worker's work.
+ Obtained summary judgment on liability in favor of Building Owner against industrial hygienist and asbestos abatement contractor for their respective failures to properly perform an asbestos abatement project.
+ Successfully mediated claims against structural engineer concerning a truss collapse.
+ Successfully convinced multiple plaintiffs and other parties to voluntarily discontinue claims for personal injuries against structural engineer arising from the partial collapse of a parking garage.

Involvement

+ Faculty Member, MG+M Trial Academy
+ American Bar Association
+ ACEC-NY, Affiliate membership

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