



Alan J. Bozer

Partner

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Mr. Bozer chairs the firm's White Collar Criminal Defense & Government Investigations Practice Team. He is active in trying criminal and civil cases, and handles appellate and arbitration work as well.

PRACTICE AREAS

Appellate

Commercial Litigation

- Business Torts
- Fraud/RICO
- Professional Liability
- Securities Litigation
- Shareholder/Member/Partnership Disputes
- Technology & Internet Law
- Workplace Fraud/Unfair Competition

Crisis Response & Management

Data Security & Data Privacy Law

White Collar Criminal Defense & Government Investigations

HONORS & AWARDS

- Selected for the *Upstate New York Super Lawyers*[®] list, 2007-2008, 2012-2018
- Listed in *Legal Elite of WNY*, *Business First of Buffalo* and *Buffalo Law Journal*, 2015
- Recognized by the Erie County Bar Association Volunteer Lawyers Project for Pro Bono work in immigration law

EDUCATION

- State University of New York at Buffalo Law School, J.D., *cum laude*, 1984
- Harvard College, B.A., *magna cum laude*, 1975

ADMITTED TO PRACTICE

- New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York
- U.S. Court of Appeals, Second Circuit

- U.S. Court of Appeals, Third Circuit
- U.S. Supreme Court

PROFESSIONAL ASSOCIATIONS

- American Bar Association
 - Criminal Justice Section
 - Dispute Resolution Section
 - Litigation Section
- Bar Association of Erie County
 - Human Rights Committee, Chair
- New York State Association of Criminal Defense Lawyers
- New York State Bar Association
 - Commercial and Federal Law Section
 - Criminal Justice Section
 - Trial Lawyers Section
- New York State Defenders Association
- Western New York Trial Lawyers Association

SPEAKING ENGAGEMENTS

- Speaker, “Addressing Government Investigations in Data Security & Privacy Matters and Crisis Situations,” Phillips Lytle Monthly Data Security Download, March 2018
- Presenter, “The Great Writ of Habeas Corpus,” Chonnam National University College of Law, March 2016
- Panelist, “Discovery Proceedings for Trusts and Estates Practice,” NYS Bar Association Trusts and Estates Law Section Seminar, May 2015

ARTICLES

- Co-Author, “White Collar Corner: When the Whistle Blows,” *The Daily Record*, December 2018
- Co-Author, “Supreme Court Decides SEC ‘Judges’ Were Unconstitutionally Appointed, Leaves Other Questions Unanswered,” *The Daily Record*, July 2018
- Co-Author, “White Collar Corner: New York Attorney General’s Investigative Powers Under Executive Law § 63(12) are Broad,” *The Daily Record*, May 2018
- Co-Author, “White Collar Corner: DOJ Memo Suggests Narrowed Regulatory Enforcement Under President Trump,” *The Daily Record*, February 2018
- Co-Author, “White Collar Corner: Constitutional Challenges to ALJs May Get High Court Hearing,” *The Daily Record*, December 2017
- Co-Author “White Collar Corner: Hold the Phone: The Duty to Preserve Cellular Phone Data,” *The Daily Record*, November 2017
- Author, “Another Voice: Front Park is Once Again a Place of Inspiration,” *The Buffalo News*, October 2016
- Co-Author “White Collar Corner: The Yates Memo: One Year Later,” *The Daily Record*, August 2016
- Author, “Another Voice: Creek’s History and Environment Must be Preserved,” *The Buffalo News*, December 2015
- Co-Author “White Collar Corner: Reasonable Interpretation vs. Knowing Lie – How Tax Fraud is Enforced as a False Claim in New York,” *The Daily Record*, December 2015
- Co-Author “White Collar Corner: Obtaining Evidence and Testimony North of the Border,” *The Daily Record*, September 2015

PRESENT ACTIVITIES

- Buffalo and Erie County Greenway Fund Standing Committee, Chairman
- LawExchange International, Dispute Resolution Group
- Buffalo Olmsted Parks Conservancy, Board of Trustees
 - Long Range Planning Committee, Co-Chair

PAST ACTIVITIES

- Harvard-Radcliffe Club of Western New York, Past President
- Delaware Soccer Club, Past President and Coach
- State University of New York at Buffalo School of Law, Adjunct Lecturer: Post-Judgment Remedies

REPRESENTATIVE CASES

Commercial

- *Cole-Hoover v Reddy*, 689 F. App'x 60 (2d Cir. 2017)
- *Taylor v. Harbour Pointe Homeowners Ass'n*, 690 F.3d 44 (2d Cir. 2012), cert denied, 133 S. Ct. 1280 (2013), on remand, 2012 WL 6088368 (attorneys' fees)
- *Omni Consulting Grp., Inc. v. Pilgrim's Pride Corp.*, 488 F. App'x 478 (2d Cir. 2012)
- *Phoenix Aktiengesellschaft v. Ecoplas, Inc.*, 391 F.3d 433 (2d Cir. 2004)
- *Denhaese v Buffalo Spine Surgery, PLLC*, 144 A.D.3d 1519 (4th Dep't 2016)
- *Liaros v. Ted's Jumbo Red Hots, Inc.*, 96 A.D.3d 1464 (4th Dep't 2012)
- *Estate of Panaggio v. Marasco*, 93 A.D.3d 1281 (4th Dep't 2012)
- *Marcone APW, LLC v Servall Co.*, 85 A.D.3d 1693 (4th Dep't 2011)
- *O'Connell Mach. Co., Inc. v. City of Buffalo Zon. Bd. of App.*, 60 A.D.3d 1353 (4th Dep't 2009)
- *Rust v. Turgeon*, 64 A.D.3d 1155 (4th Dep't 2009)
- *Gibraltar Steel v. Gibraltar Metal Proc.*, 19 A.D.3d 1141 796 (4th Dep't 2005)
- *B.M.H. Mgmt., Inc. v. 81 E 3 Of Watertown, Inc.*, 13 A.D.3d 1182 (4th Dep't 2004)
- *Smith v. Kanter*, 273 A.D.2d 793 (4th Dep't 2000)
- *Smith v. Triad Mfg Group, Inc.*, 255 A.D.2d 962 (4th Dep't 1998)
- *Roller v. Buchheit*, 259 A.D.2d 1012 (4th Dep't 1999)
- *Arons v. Lalime*, 3 F. Supp. 2d 328 (W.D.N.Y. 1998)
- *Sullivan v. LTV Aerospace E Defense Co.*, 850 F. Supp. 202 (W.D.N.Y. 1994), remanded, 82 F.3d 1251 (2d Cir. 1996) (settled)
- *Pennex Aluminum Co., a Div. of Metal Exchange Corp. v. International Fidelity Ins. Co.*, 818 F. Supp. 772 (M.D. Pa. 1993)
- *Sunbird Teleproductions, Inc. v. U.S. Fidelity and Guar. Co.*, 134 A.D.2d 832 (4th Dep't 1987)

Estate Matters

- *In re Bodkin*, 128 A.D.3d 1526 (4th Dep't 2015)
- *In re Attea*, 49 Misc. 3d 218 (Sur. Ct. Erie Cty. 2015)
- *In re White*, 128 A.D.3d 1366 (4th Dep't 2015)
- *In re Heckl*, 66 A.D.3d 1344 (4th Dep't 2009)
- *In re Heckl*, 44 A.D.3d 110 (4th Dep't 2007)
- *In re Estate of Titus*, 39 A.D.3d 1203 (4th Dep't 2007)
- *In re Estate of Dudley*, 46 A.D.3d 1461 (4th Dep't 2007)
- *In re Sommer*, 16 Misc.3d 1103(A) (Surr Ct Catt. Cty 2007)
- *In re Proceeding by Sommer*, 15 Misc.3d 1108(A) (Surr Ct Catt Cty 2007)

Bankruptcy Matters

- *In re Lyons Equipment Co., Inc.*, 436 B.R. 281 (Bk. Ct. W.D.N.Y. 2010)
- *In re Douds*, 327 B.R. 122 (Bk. Ct. W.D.N.Y. 2005)
- *In re Admiral's Walk, Inc.*, 134 B.R. 105 (Bk. Ct. W.D.N.Y. 1991)

Criminal Matters

- *U.S. v. Stoerr*, 695 F.3d 271 (3d Cir. 2012)
- *Sevenson Envtl. Servs, Inc. v. McDonald*, Civ. No. 08-1386(RMB), 2009 WL 427402 (D.N.J. Feb. 20, 2009)
- *United States v. Jones*, No. CR-89-61E, 1989 WL 158297 (W.D.N.Y. Dec. 15, 1989)