Daniel Gorman

Partner

New York

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Daniel represents an array of clients through all phases of litigation, in complex commercial disputes and investigations. He also focuses on solving international trade issues. Clients seek Daniel out for his zealous advocacy, adept writing, and strategic thinking.

OVERVIEW

Daniel's broad range of litigation and appeals experience in state and federal courts includes representing clients in commercial litigation and business disputes, including claims of breach of contract, unfair competition, breach of fiduciary duty, fraud, securities violations, and employment issues. Daniel has litigated a wide range of lawsuits, on both the plaintiff and defense side, in the health care, construction, entertainment, energy, trade, and maritime industries.

Daniel also has experience in the area of international trade, including guiding clients on issues relating to customs, imports, duties, tariffs, and navigating proceedings before the U.S. International Trade Commission in antidumping, countervailing duty, and anticircumvention cases.

REPRESENTATIVE MATTERS

Court Decisions

- *Karim v. Raju*, 165 A.D.3d 504 (1st Dep't 2018). Reversing on appeal trial court's order which denied hospital client's motion for summary judgment and holding hospital demonstrated that its decision to deny physician privileges was made in good faith.
- *People v. Gross*, 169 A.D.3d 159 (2d Dep't 2019). Vacating defendant's convictions of grand larceny, criminal diversion of prescription medication, conspiracy, and money laundering arising from alleged role in operation by which prescription medication was purchased from patients and ultimately resold to a pharmacy to be redispensed to other patients.
- *Hogan v. Weymouth*, 2020 WL 8028111 (C.D. Cal. Nov. 13, 2020). Granting motion to dismiss, and denying request for jurisdictional discovery, in connection with claims made against publisher in relation to statements made in connection with players in Super Bowl LIII.
- *Leading Ins. Grp. Ins. Co., Ltd. (U.S. Branch), Inc. v. Friedman LLP*, 195 A.D.3d 418 (1st Dep't 2021). Reversing on appeal trial court's order which denied summary judgment in accounting malpractice action arising out of auditing work performed by defendant.

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- *SKS Holdings LLC v. Kaplan*, 2023 WL 3262465 (N.J. Super. Ct. App. Div. May 5, 2023). Affirming summary judgment dismissal of conspiracy claims against co-chairman of GlobusMax, Ltd., an Israeli movie theater company, arising out of the development and operation of movie theaters.
- *Dana Transport, Inc. v. PNC Bank, Nat'l Ass'n*, No. L-2095-16 (N.J. Super. Ct. Ch. Div. Aug. 18, 2023). Granting motions for reconsideration and summary judgement dismissing plaintiffs RICO claims in connection with dispute arising out of commercial lending relationship.

Commercial

- Defended officers and directors of insolvent businesses in actions for fraud, breach of fiduciary duties, and conspiracy.
- Represented an insurance carrier in resolution of investigation by a state attorney general office and treasury related to alleged improper use of public data.
- Defended a global pharmaceutical company in responding to allegations of improper trade practice and use of intellectual property.
- Represented an international airplane part manufacturer and distributor in pre-litigation resolution of breach of contract claims.
- Successfully resolved an action against accounting firm premised on alleged professional negligence, fraud, and breach of contract, brought by former clients.
- Represented owners and developers of construction projects in connection with commercial disputes with construction managers and subcontractors.
- Successfully prosecuted action on behalf of developers of investigative journalism television series in action for breach of contract, unjust enrichment, and violation of New York labor laws.
- Represented a global packaging company in disputes resulting from acquisition of competitor.
- Defended an electric bicycle distributor and manufacturer in a cross-border dispute with local operations vendor.
- Successfully defended a hospital system in a protracted dispute with a national managed care company over allegations of fraud and abuse, overbilling, and upcoding in a commercial arbitration.
- Defended a hospital against whistleblower and retaliation claims brought by employees contending various health and safety violations.
- Represented hospitals, physicians, medical boards, and trustees in favorable resolutions of medical staff credentialing and peer review issues.
- Represented health care facilities and physicians in actions for proper reimbursement.
- Represented criminal defendants in bail pending appeal applications to the Appellate Division.
- Represented health care providers in various contractual disputes with vendors and employees.

International Trade

- Guide clients in navigating import issues, including appealing adverse decisions, handling seizures, and addressing penalties or fines.
- Advising clients on issues regarding classification of goods under the Harmonized Tariff Schedule.
- Counsel utility affiliates and sponsors in connection with antidumping and anticircumvention proceedings pending before the International Trade Commission.
- Represented a manufacturer of battery separators in responding to International Trade Commission importers' questionnaires.
- Counsel renewable energy companies in connection with international supply chain, tariff, duties, and customs issues.
- Advised and guided impacted customer in engaging with International Trade Commission through confidential

submissions to successfully address scope of proceeding.
- Counseled a global automotive supplier in addressing issues arising out of economic sanctions.

AWARDS

- *Best Lawyers in America®: Ones to Watch*: Commercial Litigation (2021-2025)
- *Super Lawyers®:* New York Metro Rising Stars (2022-2023)

TOP AREAS OF FOCUS

- Business Litigation
- Construction Litigation
- International Arbitration
- Real Estate Litigation

ALL AREAS OF FOCUS

- Business Litigation
- Construction Litigation
- Energy
- International Arbitration
- Litigation + Trial
- Real Estate Litigation
- Tariff + Trade Task Force

EDUCATION AND CERTIFICATIONS

EDUCATION

- Tulane University School of Law, J.D., *magna cum laude*, 2013, Order of the Barristers
- Cornell University, College of Arts & Sciences, B.A., 2009

BAR ADMISSIONS

- New York
- New Jersey

COURT ADMISSIONS

- 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, District of New Jersey
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit

PUBLICATIONS

- Co-author, "Government Plans to Appeal Universal IEEPA Tariff Refund Order," *Troutman Pepper Locke*, June 2, 2026.
- Co-author, "CBP Issues Guidance on IEEPA Duty Refunds via New CAPE Process: What Importers Must Do Before April 20," *Troutman Pepper Locke*, April 13, 2026.
- Co-author, "White House Rolls Back China Duties as Supreme Court Weighs IEEPA Authority," *Troutman Pepper Locke*, November 10, 2025.
- Co-author, "US Extends China Tariff Truce by 90 Days," *Troutman Pepper Locke*, August 12, 2025.
- Co-author, "IEEPA Tariffs to Remain Temporarily Despite Adverse Ruling; Aluminum and Steel Tariff Rate Increased," *Troutman Pepper Locke* and *EACCNY.com*, June 12, 2025.
- Co-author, "USTR Issues 3-Month Extension for Certain Section 301 Tariff Exclusions on Chinese Imports," *Troutman Pepper Locke*, June 3, 2025.
- Co-author, "Temporary Reduction of Reciprocal Tariffs on Chinese Goods Following US-China Trade Truce," *Troutman Pepper Locke*, May 14, 2025.
- Co-author, "USTR Proposes Port Fees and Cargo Preference Measures to Counter China's Maritime Dominance," *Troutman Pepper Locke*, March 19, 2025. Republished in *The Daily Bugle* on March 20, 2025.
- Co-author, "Exclusions From the Tariffs on Canadian and Mexican Goods Under HTS Chapters 98 and 99," *Troutman Pepper Locke*, March 14, 2025.
- Co-author, Chapter: Corporate Compliance and Internal Investigations, *LexisNexis Corporate Compliance Practice Guide: The Next Generation of Compliance*, November 2022.
- Co-author, "IRA Insight: IRA Targets Domestic Production of EV Batteries and DOE Publishes List of Current EVs Eligible for New Clean Vehicle Credit," *Troutman Pepper*, September 6, 2022.
- Co-author, Chapter: International Litigation Management, *PLI's International Corporate Practice: A Practitioner's Guide to Global Success*, March 2021. Updated 2022-2023.
- Co-author, "The Latest Trends in Multiforum Securities Litigation," *Law360*, April 2019.
- Co-author, "Statistical Sampling in Health Care Litigation," *New York Law Journal,* June 2016.
- Author, "Different Scenarios: What Can Happen When a Sinking Occurs Involving My Vessel," Greater New Orleans Barge Fleeting Association River and Marine Seminar, 2014.
- Author, "*Global-Tech Appliances, Inc. v. Seb S.A.*: Invoking the Doctrine of Willful Blindness to Bring Those Who Lack Knowledge of Induced Infringement Within § 271(b)'s Prohibition," 14 *Tul. J. Tech. & Intell. Prop. 397* (2011).