

Mar 2025 | [Firm News](#)

Yankwitt LLP Prevails on Two Sequential Motions in Breach of Contract Case

The Yankwitt LLP team prevailed on behalf of a Fortune 500 company on a motion to strike and subsequent motion for reconsideration in a construction dispute before the Southern District of New York.

Yankwitt LLP moved to strike allegations in the plaintiff's amended complaint concerning settlement discussions, which the parties had agreed were protected from use in the litigation. While the other side disputed both the interpretation of the contract and Yankwitt LLP's argument that the allegations fell within the parties' agreement, Judge Philip M. Halpern agreed with Yankwitt LLP and granted the motion to strike in its entirety. To implement that decision, Judge Halpern ordered the plaintiff to file a new, amended complaint in which those allegations did not appear.

Following the court's decision, the plaintiff filed a motion for reconsideration, challenging the court's ruling on the motion to strike. Yankwitt LLP opposed that motion, arguing that Judge Halpern's decision was well-founded and that the other side did not meet the standard for reconsideration. The firm prevailed on this motion, as well, as Judge Halpern once again agreed with Yankwitt LLP and denied the plaintiff's motion for reconsideration.

By pursuing the motion to strike, Yankwitt held its counterparty to its contractual word and narrowed the issues in the litigation, which is presently in discovery