

Justin T. Kelton

PARTNER



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This biography is provided for informational purposes only and does not constitute legal advice.

PRACTICE AREAS

- Appeals
- Business and Commercial Litigation
- Civil Litigation
- Corporate Governance
- Employment & Labor Law
- Intellectual Property & Entertainment
- Civil Rights

Justin T. Kelton is a Partner at Abrams Fensterman, LLP, where he serves as Co-Chair of the Litigation Department. Justin is a trial lawyer who represents clients in a wide range of high-stakes business disputes, investigations, and governmental enforcement actions before federal and state courts and administrative bodies.

Justin is often retained to handle high-profile matters that garner substantial media coverage and involve significant public policy issues. The Washington Post described one of his recent victories as “nearly unheard of in our court system,” The New York Daily News called the win “extraordinary,” and The New York Sun praised his team’s legal strategy as creating “a win-win situation” for his client. After Justin’s client defeated a motion to dismiss in a widely watched defamation case, The Columbia Journalism Review noted that Justin’s team “scored an important win.” KABC Radio recently reported that his team achieved a “scorching” victory over a defendant, and The Gateway Pundit characterized the same win as “devastating” to the defense. Justin’s work has been widely profiled in national and international media, including Forbes, The Associated Press, Vanity Fair, Reuters, The Washington Post, NBC News, ABC News, The Times of Israel, RealClearPolitics, and The Daily Beast, among many others. In addition, Justin’s scholarly writing has been published by the New York Law Journal, Harvard Law School, the

Delaware Business Court Insider, and Practical Law.

Justin's practice spans a wide range of substantive areas, including business and partnership disputes, employment disputes, contract disputes, fraud, unfair competition, trade secret misappropriation, breaches of fiduciary duty, class actions, shareholder derivative litigation, real estate, civil rights, and copyright and trademark matters. Justin also regularly represents media organizations, journalists, authors, and public figures in First Amendment matters, and he has substantial experience representing both plaintiffs and defendants in defamation and libel lawsuits.

In 2025, Justin was appointed by the Presiding Justice of the Appellate Division, Second Judicial Department, to serve as a member of the Court's Committee on Character and Fitness.

Justin received a B.S. in Computer Science from Muhlenberg College, and a J.D. from Albany Law School. While in law school, Mr. Kelton was a research assistant to Prof. Annette Kahler, Director of the Science and Technology Law Center.

BAR ADMISSIONS

- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

EDUCATION

- Albany Law School, J.D.
- Muhlenberg College, B.S., Computer Science

NOTABLE MATTERS

- As lead trial counsel, won \$3 million verdict after full trial in the Commercial Division, New York County, in business dispute arising from acquisition of client's business pursuant to complex Asset Purchase Agreement; court also awarded attorneys' fees in favor of Justin's client.
- Recovered more than \$19 million as lead counsel in a bet-the-business lawsuit against former business partner arising out of disputes over corporate management and contested business valuation.
- Won \$7.5 million verdict after federal trial in breach of contract action.
- As lead defense counsel, not only secured complete dismissal of a plaintiff's claims in a contract dispute, but also won more than \$300,000 from the plaintiff based on counterclaims.
- As lead counsel for a software development company, obtained a rare worldwide injunction enforcing a non-compete agreement against a former employee, barring the former employee from competing anywhere in the world.

- Trial counsel in complex trial spanning more than five months representing healthcare business in responding to governmental enforcement action seeking to revoke license.
- Trial counsel for technology startup in dispute with former owner over valuation of ownership interest and multimillion-dollar earn out provision of partnership agreement.
- Lead counsel for advertising company in high-stakes litigation against competitor involving allegations of trade secret misappropriation and unfair competition.
- Won a series of take-nothing dismissals for New York City-based hospital system in lawsuits by former employees who alleged whistleblowing and employment-related claims.
- Won a series of take-nothing dismissals for Long Island-based hospital system in employment lawsuits.
- Represented employers in confidential internal investigations and in responding to governmental investigations.

PUBLISHED WORKS

- [Court Dismisses Drake's Defamation Suit Based On Kendrick Lamar's 'Not Like Us'](#), Author, New York Law Journal (October 21, 2025)
- [Defamation Without a Lie? Exploring The Law Of Defamation By Implication](#), Author, New York Law Journal (March 12, 2025)
- [AG Letitia James' office says 'nothing unusual' about Trump's \\$454 million bond](#), Interviewed, Fox News (March 20, 2024)
- [Victoria's A-Lister Podcast](#) Interviewed, Law 360 (January, 2024)
- [Woman Accusing Giuliani Of Sex Assault Fights For Sanctions](#) Quoted, Law 360 (August, 2023)
- [U.S. Judge Orders Ex-Employee's Lawsuit Against Giuliani Back to NY State Court](#), Quoted, New York Law Journal (July 7, 2023)
- [Project Veritas Settles Suits That Portrayed It as Mistreating Its Employees](#), Quoted, The New York Times (May 9, 2023)
- [Project Veritas to Pay \\$270K to End Workers' Unpaid OT Suit](#), Quoted, Law 360 (May 8, 2023)
- [Goodbye and Good Luck: The NLRB's Ban on Non-Disparagement Clauses in Severance Agreements Hurts Employers and Workers Alike](#), Co-Author, New York Law Journal (March 29, 2023)
- [Analyzing Force Majeure Clauses In Light Of The Coronavirus Outbreak](#), Author, New York Law Journal (March 19, 2020)
- [Use of Illegal Gambling Proceeds to Fund Loan Does Not Void Agreement](#), Author, New York Law Journal (February 10, 2020)
- [Confidentiality and Inspections of Corporate Books and Records](#), Author, the Harvard Law School Forum on Corporate Governance and Financial Regulation (September 1, 2019)
- [NYC's 'Hollowed Out' Enforcement Units Struggle to Keep Pace on Housing Discrimination Cases](#), Quoted, CityLimits (June 1, 2021)
- [Defamatory Reviews: How To Protect Your Reputation](#), Author, Medical Economics (July 10, 2019)
- [Q&A: The Application of Delaware Law in New York Courts](#), Author, Delaware Business Court Insider (June 12, 2019)

- [How to Protect Your Reputation and Medical Practice Against Defamatory Online Reviews](#), Author, Physicians Practice (April 4, 2019)
- [Taylor Swift Defeats Broker's 'Wildest Dreams' in \\$1 Million Commission Dispute](#), Author, New York Law Journal (February 22, 2019)
- [Equitable Defenses Fall Within Narrow Scope of Section 225 Actions and Must Be Considered](#), Author, Delaware Business Court Insider (January 30, 2019)
- [4 Tips for Starting a Business with Partners](#), Quoted on BestCompany.com (November 20, 2018)
- [Supreme Court Nominee and the Derivative Suit](#), Author, the Harvard Law School Forum on Corporate Governance and Financial Regulation (August 30, 2018)
- [How to Win in Court Without Overpaying](#), Quoted in Elliot.org blog (April 9, 2018)
- Defending Against Bogus Online Reviews: A Guide For Bars and Restaurants, Author, ModernRestaurantManagement.com (February 27, 2018)
- [Plaintiff Who Obtains a Corporate Benefit May Not Target a Stockholder to Pay a Fee Award](#), Author, Delaware Business Court Insider (January 31, 2018)
- [When Leaving A Bad Review Gets You Sued](#), Quoted in URBO.com article (January 26, 2018)
- [Apple faces over a dozen lawsuits. Here's why it might win them all](#), Quoted in Mashable.com article (December 30, 2017)
- [Delaware Courts and the Law of Demand Excusal](#), the Harvard Law School Forum on Corporate Governance and Financial Regulation (November 13, 2015)
- Expert Q&A: Filing Documents under Seal in New York, Practical Law (September 1, 2015)

COMMUNITY SERVICE

- Arbitrator, New York State Unified Court System
- Member, New York County Democratic Committee

FEATURED PUBLICATIONS

- **40 Abrams Fensterman Attorneys Named in 2025 New York Super Lawyers** — 10/29/2025
<https://www.abramslaw.com/media/awards/40-abrams-fensterman-attorneys-named-in-2025-new-york-super-lawyers>
- **Court Dismisses Drake's Defamation Suit Based On Kendrick Lamar's 'Not Like Us' – Justin Kelton Article in New York Law Journal** — 10/24/2025
<https://www.abramslaw.com/media/publications/justin-kelton-analyzes-dismissal-of-drakes-defamation-lawsuit-over-kendrick-lamars-not-like-us-in-new-york-law-journal>
- **Abrams Fensterman Wins \$3 Million Verdict in High-Stakes Commercial Contract Dispute** — 07/25/2025
<https://www.abramslaw.com/media/notable-cases/abrams-fensterman-wins-3-million-verdict-in-high-stakes-commercial-contract-dispute>
- **Defamation Without a Lie? Exploring The Law Of Defamation By Implication – Justin Kelton Article in New York Law Journal** — 03/13/2025
<https://www.abramslaw.com/media/publications/defamation-without-a-lie-exploring-the-law-of-defamation-by-implication-new-york-law-journal>
- **Abrams Fensterman Wins Dismissal Of All Claims In Trade Secret And Unfair Competition Lawsuit** — 02/04/2025

<https://www.abramslaw.com/media/notable-cases/abrams-fensterman-wins-dismissal-of-all-claims-in-trade-secret-and-unfair-competition-lawsuit>

- **NYC Attorney Secures \$750,000 Victory for Workplace Sexual Assault Survivor** — 11/12/2024

<https://www.abramslaw.com/media/news/nyc-attorney-secures-750000-victory-for-workplace-sexual-assault-survivor>

- **33 Abrams Fensterman Attorneys Recognized on 2024 New York Metro Super Lawyers® and Rising Stars Lists** — 10/23/2024

<https://www.abramslaw.com/media/awards/33-abrams-fensterman-attorneys-recognized-on-2024-new-york-metro-super-lawyers-and-rising-stars-lists>

- **“Knockout Punch” Victory In Lawsuit Over Management Of Jiu-Jitsu Schools** — 07/09/2024

<https://www.abramslaw.com/media/announcements/knockout-punch-victory-in-lawsuit-over-management-of-jiu-jitsu-schools>

- **Abrams Fensterman Represents Star Investor In Lawsuit That Has Captivated the Hedge Fund World** — 05/28/2024

<https://www.abramslaw.com/media/news/abrams-fensterman-represents-star-investor-in-lawsuit-that-has-captivated-the-hedge-fund-world>

- **Abrams Fensterman’s Efforts to Hold Rudy Giuliani Accountable Featured in New York Times**

— 05/02/2024

<https://www.abramslaw.com/media/news/abrams-fenstermans-efforts-to-hold-rudy-giuliani-accountable-featured-in-new-york-times>

- **Justin Kelton’s Interview on Fox News about Trump’s Deadline to Pay \$454 Million** — 03/21/2024

<https://www.abramslaw.com/media/news/justin-keltons-interview-on-fox-news-about-trumps-deadline-to-pay-454-million>

- **Justin Kelton Featured on Victoria’s A-Lister Podcast** — 02/01/2024

<https://www.abramslaw.com/media/audio/justin-kelton-featured-victorias-a-lister-podcast>

- **Rudy Giuliani Files for Bankruptcy – Business Insider – Justin Kelton Quoted** — 12/22/2023

<https://www.abramslaw.com/media/news/rudy-giuliani-files-for-bankruptcy-business-insider-justin-kelton-quoted>

- **Abrams Fensterman Attorneys Gain Victory in Beauty Lawsuit** — 09/27/2023

<https://www.abramslaw.com/media/announcements/abrams-fensterman-attorneys-gain-victory-in-beauty-lawsuit>

- **New Allegations Against Giuliani by Cassidy Hutchinson** — 09/20/2023

<https://www.rollingstone.com/politics/politics-news/cassidy-hutchinson-accuses-rudy-giuliani-sexual-harassment-1234828525/>

- **Woman Accusing Giuliani of Sex Assault Fights for Sanctions** — 08/22/2023

<https://www.law360.com/articles/1713942/woman-accusing-giuliani-of-sex-assault-fights-for-sanctions->

- **Trump Adviser Rudy Giuliani on Tape in Civil Sex Assault Case Tells Accuser He Wants to ‘Own’ Her Breasts, Talks about Penis Size, Disparages Jews** — 08/07/2023

<https://www.nydailynews.com/news/crime/ny-trump-adviser-rudy-giuliani-on-tape-civil-sex-assault-case-penis-size-20230802-qhbnc17xobeltohpvrkqj1mm-story.html>

- **Giuliani Accuser Seeks to Remand Lawsuit Alleging Sexual Assault and Labor Law Violations to State Court** — 06/20/2023

<https://www.law.com/newyorklawjournal/2023/06/20/giuliani-accuser-seeks-to-remand-lawsuit-alleging-sexual-assault-and-labor-law-violations-to-state-court/>

- **U.S. Judge Orders Ex-Employee’s Lawsuit against Giuliani Back to NY State Court** — 06/07/2023

<https://www.law.com/newyorklawjournal/2023/07/07/us-judge-orders-ex-employees-lawsuit-against-giuliani-back-to-ny-state-court/>

- **Influential Brooklyn Law Firm is Representing the Woman Suing Rudy Giuliani** — 05/17/2023

<https://brooklyneagle.com/articles/2023/05/17/influential-brooklyn-law-firm-is-representing-woman-suing-rudy-giuliani/>

- **Rudy Giuliani Accused of Sexual Assault, Harassment in Lawsuit** — 05/16/2023

<https://nymag.com/intelligencer/2023/05/noelle-dunphy-accuses-rudy-giuliani-of-sexual-assault.html>

- **Giuliani Spoke about Selling Pardons for \$2 Million and Splitting Proceeds with Trump, Accuser Claims** — 05/16/2023

<https://www.forbes.com/sites/danalexander/2023/05/16/giuliani-spoke-about-selling-pardons-for-2-million-and-splitting-proceeds-with-trump-accuser-claims/?sh=7ed1e62623ad>

- **Woman Sues Rudy Giuliani over Alleged Sexual Assault; Says He Owes Her \$2M** — 05/16/2023

<https://www.fox5ny.com/news/woman-sues-rudy-giuliani-over-alleged-sexual-assault-says-he-owes-her-2m>

- **Giuliani Accused of Sexual Harassment & Wage Theft in New Lawsuit** — 05/15/2023
<https://news.yahoo.com/giuliani-accused-sexual-harassment-wage-031039598.html>
- **Bombshell Lawsuit Accuses Rudy Giuliani of Demanding Employee Perform Oral Sex while He Talked to Trump on the Phone** — 05/15/2023
<https://www.nydailynews.com/new-york/nyc-crime/ny-rudy-giuliani-sexual-assault-lawsuit-noelle-dunphy-manhattan-20230515-x7wlklnodfckjlgb7nub4vpuim-story.html>
- **Giuliani Accused of Offering to Sell Trump Pardons for \$2 Million Each in New Lawsuit** — 05/15/2023
<https://www.nbcnews.com/politics/politics-news/giuliani-accused-offering-sell-trump-pardons-2-million-new-lawsuit-rcna84569>
- **Lawsuit Accuses Rudy Giuliani of Sexual Harassment, Attempting to Sell Pardons, More** — 05/15/2023
<https://www.cbsnews.com/newyork/news/rudy-giuliani-lawsuit-sued-noelle-dunphy/>
- **Rudy Giuliani Sued for \$10 Million by Former Employee Accusing Him of Sexual Assault** — 05/15/2023
<https://www.cbsnews.com/news/rudy-giuliani-sued-10-million-by-former-employee-accusing-him-of-sexual-assault/>
- **The Last Word: Giuliani Accused of Sexual Harassment & Wage Theft in New Lawsuit** — 05/15/2023
<https://www.msnbc.com/the-last-word/watch/giuliani-accused-of-sexual-harassment-wage-theft-in-new-lawsuit-174468677537>
- **Rudy Giuliani A Gross, Drunken, Sex Pest? No, That Can't Be Right!** — 05/15/2023
<https://abovethelaw.com/2023/05/rudy-giuliani-a-gross-drunken-sex-pest-no-that-cant-be-right/>
- **Rudy Giuliani Sued by Former Associate for Alleged Sexual Assault, Harassment** — 05/15/2023
<https://cbsaustin.com/news/nation-world/rudy-giuliani-sued-by-former-associate-for-alleged-sexual-assault-harassment-new-york-city-upper-east-side-oral-sex-bdsm-bill-clinton-donald-trump-pro-bono-legal-representation-graphic-warning-salary-wage-theft-racism-sexism-antisemitism-lawsuit-court>
- **Lawsuit Accuses Rudy Giuliani of Workplace Harassment and Sexual Assault** — 05/15/2023
<https://www.axios.com/2023/05/16/rudy-giuliani-noelle-dunphy-sexual-assault-lawsuit>
- **Project Veritas Settles Suits that Portrayed it as Mistreating its Employees** — 05/09/2023
<https://www.nytimes.com/2023/05/09/nyregion/project-veritas-settlement-employees-workplace.html>
- **Noelle Dunphy Retains Abrams Fensterman in Rudy Giuliani Sexual Harassment Case** — 04/03/2023
<https://www.abramslaw.com/media/announcements/noelle-dunphy-retains-abrams-fensterman-in-rudy-giuliani-sexual-harassment-case>
- **Rudy Giuliani's Ex-Employee Accusing Him of Being a 'Sexist Sexual Predator' Hires Lawyer** — 04/03/2023
<https://radaronline.com/p/rudy-giuliani-ex-employee-lawsuit-predator-hires-lawyer-3-million-damages-trump/>
- **Goodbye and Good Luck: The NLRB's Ban on Non-Disparagement Clauses in Severance Agreements Hurts Employers and Workers Alike** — 03/29/2023
<https://www.abramslaw.com/media/publications/goodbye-and-good-luck-the-nlrbs-ban-on-non-disparagement-clauses-in-severance-agreements-hurts-employers-and-workers-alike-new-york-law-journal>
- **Inaugural Brooklyn Power List Honors Most Influential in Brooklyn** — 01/27/2023
<https://www.brooklynpaper.com/inaugural-brooklyn-power-list-honors-most-influential-in-brooklyn/>
- **What Employers Need to Know about Defamation – New York Law Journal – Justin Kelton Author** — 11/30/2022
<https://www.abramslaw.com/media/publications/what-employers-need-to-know-about-defamation-new-york-law-journal-justin-kelton-author>
- **Understanding the Nuances of Tax Estoppel: Issuance of A K-1 Alone is Not Determinative of Partnership** — 04/27/2022

<https://www.abramslaw.com/media/publications/understanding-the-nuances-of-tax-estoppel-issuance-of-a-k-1-alone-is-not-determinative-of-partnership-new-york-law-journal-justin-kelton>

- **Exploring New York's Oral Partnership Doctrine – New York Law Journal – Justin Kelton** —

11/30/2021

<https://www.abramslaw.com/media/publications/exploring-new-yorks-oral-partnership-doctrine-new-york-law-journal-justin-kelton>

- **SDNY Clarifies the Scope of 'Misappropriation' under the Defend Trade Secrets Act – New York Law Journal** — 06/21/2021

<https://www.abramslaw.com/media/publications/sdny-clarifies-the-scope-of-misappropriation-under-the-defend-trade-secrets-act-new-york-law-journal-justin-kelton>

- **CLIENT ALERT: Abrams Fensterman, LLP Wins Summary Judgment for Plaintiff in Overtime Lawsuit** — 04/24/2021

<https://www.abramslaw.com/media/announcements/client-alert-abrams-fensterman-wins-summary-judgment-for-plaintiff-in-overtime-lawsuit>

- **New York Court of Appeals Hands Decisive Win to Business Owners, Holding that they Are Exempt from Vicarious Liability under the NYC Human Rights Law – New York Law Journal – Justin T. Kelton** — 04/17/2021

<https://www.abramslaw.com/media/publications/new-york-court-of-appeals-hands-decisive-win-to-business-owners-holding-that-they-are-exempt-from-vicarious-liability-under-the-nyc-human-rights-law-new-york-law-journal-justin-t-kelton>

- **CLIENT ALERT: New State Sick Time Law & Minimum Wage in Effect January 1st** — 12/28/2020

<https://www.abramslaw.com/media/announcements/client-alert-new-state-sick-time-law-minimum-wage-in-effect-january-1st>

- **You Can Have Your Cake and Eat it Too: Second Circuit Says Parties Can Appeal Portions of a Judgment after Accepting Remittitur – New York Law Journal – Justin T. Kelton** — 12/17/2020

<https://www.abramslaw.com/media/publications/you-can-have-your-cake-and-eat-it-too-second-circuit-says-parties-can-appeal-portions-of-a-judgment-after-accepting-remittitur-new-york-law-journal-justin-t-kelton>

- **Expert Q&A on Criminal Charges and Employment Decisions – Practical Law – Justin T. Kelton**

— 08/18/2020

[https://uk.practicallaw.thomsonreuters.com/w-026-7326?originationContext=knowHow&transitionType=KnowHowItem&contextData=\(sc.Default\)&firstPage=true](https://uk.practicallaw.thomsonreuters.com/w-026-7326?originationContext=knowHow&transitionType=KnowHowItem&contextData=(sc.Default)&firstPage=true)