

## Rochester-Based Litigation Attorneys Kelly S. Foss and Kaitlin E. O'Brien Join Lippes Mathias



May 2, 2024 | **PRESS RELEASES**

Lippes Mathias today announced that attorneys Kelly S. Foss and Kaitlin E. O'Brien have joined the firm's litigation team in its Rochester office. Foss and O'Brien worked together closely at their former firm, Harris Beach PLLC, assisting clients in navigating complex commercial disputes in New York state and federal courts, including appeals.

Both Foss and O'Brien have a particular focus in complex commercial litigation, including high-stakes disputes involving closely-held businesses and life settlements. They are focused on understanding the specific facts of each unique dispute and each client's goals and priorities. Their ultimate objective with each matter is to develop and implement a custom-tailored strategy aimed at achieving the client's articulated goals, whether through negotiated settlement or judicial resolution.

"Quality representation in litigation is as in demand now as it ever has been," Kevin J. Cross, Lippes Mathias' managing partner and chairman, said. "The arrival of Kelly and Kaitlin underscores our intent to continue growing our national litigation capabilities and our commitment to adding talented individuals to our Rochester office."

Kelly S. Foss, a partner, has experience that includes litigating complex contract disputes, disputes over ownership

interests in closely-held businesses, disputes involving life settlements, anti-compete clauses and business torts, disputes over material adverse effect clauses, challenges to decisions of various administrative agencies (including under Article 78), insurance coverage disputes, indemnification disputes, breach of fiduciary duty, and partnership disputes, among other business and commercial claims. She also litigates cases involving life settlements, including challenges to cost of insurance rate adjustments and other policy overcharges, interpleader actions involving adverse claimants, stranger-originated life insurance policies, estate claims for disgorgement, breach of non-recourse loan agreements, and bona fide purchaser and securities intermediary defenses under Article 8 of the Uniform Commercial Code. She also handles estate litigation in Surrogate's Court, particularly in family business disputes.

Foss graduated with her B.S. from Cornell University and her J.D. from the University of California Hastings College of Law. Outside her practice, she is a member of the Monroe County Bar Association, the Rochester chapter of the Federalist Society, and the Life Insurance Settlement Association. Contact Foss by email at [kfoss@lippes.com](mailto:kfoss@lippes.com) or by phone at 585-770-7590, ext. 1847.

Kaitlin E. O'Brien, who has joined the firm as an associate, litigates cases involving contract disputes, life settlements, estate administration, employment claims, non-compete clauses, business torts, and challenges to administrative agency decisions. She has also represented and advised hospitals, health care providers, and skilled nursing facilities in various guardianship matters. O'Brien is experienced in preparing complaints and motions, conducting paper and electronic discovery, performing legal research and analysis, developing litigation strategy, and negotiating advantageous settlements.

O'Brien received her B.A. from Allegheny College and her J.D. from Boston University School of Law. She is a member of the New York State Bar Association, the Monroe County Bar Association, and the Greater Rochester Association of Women Attorneys. In 2023, O'Brien was a member of the inaugural class of the Monroe County Bar Association's Leadership Academy. She can be reached by email at [kobrien@lippes.com](mailto:kobrien@lippes.com) or by phone at 585-770-7590, ext. 1851.

### **About Lippes Mathias LLP**

*Lippes Mathias is a full-service law firm with nearly 200 attorneys serving clients regionally, nationally, and internationally. With offices in Buffalo, Clarence, Albany, Long Island, New York, Rochester and Saratoga Springs, N.Y.; Greater Toronto Area; Chicago, Ill.; Jacksonville, Fla.; Cleveland, Ohio; San Antonio, Texas; Oklahoma City, Okla. and Washington, D.C., the firm represents publicly and privately-owned companies, private equity and venture capital firms, independent sponsors, real estate developers, financial institutions, municipalities, governmental entities, and individuals.*

# Related Team



**Kevin J. Cross**  
Managing Partner |  
Chairman | Executive  
Committee



**Kelly S. Foss**  
Partner



**Kaitlin E. O'Brien**  
Senior Associate