

## NJ Supreme Court Adopts McCarter's Position on Fault Allocation in Personal Injury Case

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### Related People:

David R. Kott

Edward J. Fanning, Jr.

The New Jersey Supreme Court recently issued a ruling that adopted the argument that McCarter had made on behalf of amici curiae the New Jersey Chamber of Commerce, the New Jersey Business and Industry Association, and the Commerce and Industry Association of New Jersey in *Maison v. NJ Transit*. In its ruling, the New Jersey Supreme Court held that a jury should allocate fault to a tortfeasor who was not named as a party in the lawsuit.

McCarter & English partner Edward Fanning presented the oral argument in the New Jersey Supreme Court while David Kott and Edward Fanning were on the brief.