

Litigation

Our litigators have decades of experience working with clients as trusted business advisors to resolve their most challenging disputes in boardrooms and courtrooms across the country.

Lawyers in our Litigation practice have an impressive depth of experience in all types of litigation, from complex insurance recovery disputes to white-collar criminal defense. Our multidisciplinary team delivers legal solutions for Fortune 500 companies and global manufacturers in trials, disputes, appeals, and mediations in federal and state courts. We pride ourselves on fostering long-term relationships with each client, building a solid understanding of their individual needs during the process and supporting their unique business objectives.

A key component of our long-term relationships is ongoing and open communication, which involves regular status reports, budget updates, and customized services for each client. Our litigators are just as adept at negotiations and settlements as they are in front of a jury. With decades of experience in pre-trial counseling, we know how to develop cost-efficient solutions, resolve matters quickly, and minimize the overall impact on your business. Should a case go to trial, we work in close consultation with clients to prepare a strategy and guide them through every step of the litigation process. We also use advanced technology to streamline the discovery process in large document-intensive cases, manage the deposition process, prepare witnesses, and execute powerful arguments in the courtroom.

Alternative Dispute Resolution & Mediation

Our team, consisting of experienced trial lawyers, a former Chief Judge of the District of New Jersey and a former Commissioner of Delaware Superior Court, combines trial experience, deep knowledge of ADR procedures and experience across a broad range of industries and substantive areas of law.

Antitrust

With valuable insights and hands-on experience with antitrust agencies, we help clients a coordinated and efficient approach to resolving matters before these agencies and tribunals. Our litigators cover the full range of antitrust counseling and litigation, including pricing, distribution, intellectual property, and civil and criminal investigations. These investigations have involved claims or charges of participation in price-fixing conspiracies, horizontal market allocations, group boycotts, monopolization, anticompetitive licensing of intellectual property, and price discrimination. We also analyze and obtain clearance for merger transactions from the Federal Trade Commission, Department of Justice, and foreign competition authorities and represent third parties wishing to object to mergers before these authorities.

Appellate

Our appellate team delivers outstanding results by applying the most strategic and effective litigation tactics. Several of our appellate lawyers have served as law clerks for state or federal appellate judges and justices, bringing an intimate knowledge of the particulars of judicial decision-making. Clients also seek our outstanding oral and written advocacy skills for a wide range of appellate services, including full briefings and oral arguments, advice on appellate matters and emergency matters, interlocutory appeals, and significant motions in major litigation. Cases are often referred by other lawyers who recognize the specialized skillset that our experienced advocates bring to the table. We handle appeals for other firms in matters being litigated in lower courts, and we appear as amicus curiae on behalf of organization to bring a voice to the issues that may significantly impact their industries.

Class Action & Multidistrict Litigation

Our team defends businesses of all sizes against complex class actions, multidistrict litigations, and other multiclient proceedings across the country involving substantial corporate exposure. We bring disputes to an end at the earliest possible opportunity to prevent and minimize damage, fighting certification when needed. We have represented major financial and telecommunications companies in

class actions alleging violations of securities laws, claims related to life and health insurance and annuities, and claims alleging violations of state and consumer protection statutes.

Construction & Real Estate Litigation

Quick resolution of disputes affecting construction projects and real estate transactions is important to our clients' bottom line. Our experienced construction and real estate litigators help clients settle matters or pursue necessary litigation to protect their interests quickly and cost-effectively.

Investigations & White Collar Criminal Defense

We help clients create and evaluate corporate compliance programs and conduct internal investigations on behalf of established Fortune 500 companies as well as smaller, privately held companies. We bring extensive trial experience and are highly skilled in responding to search warrants, subpoenas, and requests for information as well as advising clients through grand jury investigations and achieving favorable dispositions of regulatory and criminal cases brought by the federal and state governments. We also regularly conduct thorough and effective internal corporate investigations to mitigate the impact of misconduct and minimize the corporation's potential exposure to civil and criminal penalties.

IP Litigation

We are experienced in the full range of IP matters, including patent, trademark, trade dress, trade secret, copyright, and licensing disputes. We win cases on behalf of companies of all sizes and in every forum, including federal and district courts, the Patent Trial and Appeal Board, and the Trademark Trial and Appeal Board. Many of our IP litigators have technical backgrounds in science and/or engineering, enabling them to craft an informed and compelling storyline for complex patents and technologies.

Securities Litigation

We represent issuers, underwriters, financial institutions, private equity firms, hedge funds, and accounting firms facing these highly complex and sensitive cases. We also deliver successful results for financial institutions, companies, and individuals on the prosecution side of the courtroom. Our litigators provide strategic regulatory advice and counsel in SEC and FINRA enforcement investigations. We also counsel clients in investigations conducted by state bureaus and attorneys general, including civil, criminal, and administrative enforcement actions involving violations of federal securities laws and state blue-sky laws.

Representative Matters

Plaintiff—Obtained Preliminary Injunction

Representing large pharmaceutical company in Hatch-Waxman litigation and assisted client in obtaining a preliminary injunction enjoining launch of generic products prior to entry of judgment.

Incyte Corp.—Trial

Represented this leading pharmaceutical company in its misappropriation of trade secrets case against a start-up competitor in a civil jury trial in Delaware's Superior Court.

Recreation company—Breach of contract appeal

Defended a Michigan-based outdoor recreation company in a contract action arising out of the failed provision of broadband services. The Second Circuit affirmed a judgment we obtained in the District of Connecticut and awarded attorneys' fees on behalf of our client.

State of New Jersey—Significant Victory

Represented the State of New Jersey in a litigation against the State of New York that resulted in a significant victory in favor of our client at the New York Court of Appeals, which declared New York's commuter tax unconstitutional.

AstraZeneca—Summary judgment granted

Defended AstraZeneca in claims of more than one billion in damages for breach of contract and theft of trade secrets. Ocimum claimed that AstraZeneca wrongfully retained data after their agreement had ended in 2004. Agreeing with our argument that Ocimum ignored its suspicion that AstraZeneca had breached the contract for six years, the court granted our request for summary judgment based on the statute of limitations.

Technology company—Federal Trade Commission “no action” letter

Obtained a “no action” letter from the Federal Trade Commission in connection with “Made in USA” marketing claims on behalf of a Boston-based technology company.

Global motor coach manufacturer and distributor—Withdrawal of class action

Successfully defended a global manufacturer and distributor of commercial motor coaches and related entities against a putative class action pending in the US District Court for the Northern District of California. Plaintiff's claims arose from alleged manufacturing and design defects of commercial motor coaches manufactured by our client that purportedly rendered them unreliable for service. Plaintiff filed the action on behalf of a putative nationwide class seeking damages to recover the cost of the motor coaches and other damages, with potential exposure in the tens of millions of dollars. We filed a motion to dismiss the class action complaint, resulting in Plaintiff's decision to voluntarily dismiss the action in its entirety.

The Chemours Company—Alleged breach of supply agreement

The Chemours Co., TT v. ATI Titanium LLC: Defend purported \$28 million claim for breach of the covenant of good faith and fair dealing on a chemical intermediates supply agreement, based upon price increases necessitated by safety improvements.

Environmental technology company—Favorable verdict following trial to obtain involuntary disassociation of minority member

Represented PFT Technology LLC and its majority members in the Supreme Court of New York (Nassau County, Commercial Division) in an action commenced to obtain the involuntary disassociation of the minority member when the parties' efforts to consensually agree upon terms of buy-out were unsuccessful. Following several days of trial, the Court rejected the breach of fiduciary duty claims, limited the advancement claim for fees, and then entered judgment affirming the involuntary disassociation at substantially the value arrived at by the clients' valuation expert.

Consolidated rail corporation—Long-running litigation ends with dismissal of fraud related claims upheld on appeal

Represented Consolidated Rail Corporation in the Superior Court of New Jersey (Hudson County, Law Division) in defense of claims of fraud and misrepresentation arising from the sale of former railroad property in Jersey City, New Jersey. Bringing more than ten years of litigation arising from the sale to a conclusion, the Court rejected all of the claims and ruled in favor of Conrail. The ruling was then affirmed on appeal.

Fortune 50 retailer—Action by New Jersey Attorney General

Counsel for Fortune 50 retailer in defense of action by New Jersey Attorney General alleging pervasive violations of the New Jersey Consumer Fraud Act.

Hewlett Packard Enterprise—New York state court action

Obtained the dismissal of all claims asserted against Hewlett Packard Enterprise Co. in a New York state court litigation seeking millions of dollars in damages in connection with plaintiff's allegations that he'd been denied just compensation for his share of a business acquired by HPE. The court dismissed the complaint in its entirety prior to discovery.

Global supplier of power coverage and storage technology—Successful defense on appeal following favorable settlement in qui tam related litigation

Successfully defended a favorable ruling on appeal before the Third Circuit on behalf of a global supplier of power coverage and storage technology. The underlying dispute derived from a qui tam suit filed under the False Claims Act claiming defective manufacturing of the backup power supply units to the United States ICBM Missile System. Initially, we conducted an internal investigation and, after a number of proffers to the government, successfully convinced the Department of Justice to close its criminal investigation of our client. The related civil qui tam action settled on the eve of trial for a small fraction of the \$33 million demanded by the Relator. Under the False Claims Act, the settlement technically entitled the Relator to an award of "reasonable" attorneys' fees. McCarter, however, challenged the amount claimed as excessive, and secured an order that nearly cut the requested fees in half.

Consolidated rail corporation—Successful opposition to municipality's effort to condemn railroad property

Represented Consolidated Rail Corporation in the Superior Court of New Jersey (Middlesex County, Chancery Division) in opposing the Borough of Carteret's efforts to inspect and condemn railroad property by successfully asserting preemption under federal law.

Real estate developer—Commercial litigation

Representing a real estate developer where the seller refuses to comply with contractual obligations and convey title to the developer of property valued in excess of \$10 million. Active discovery practice including depositions and active court matters addressing motion practice.

National residential mortgage broker—Dismissal of all claims in unfair trade practices dispute

Secured the complete dismissal, with prejudice, of an action filed against a national residential mortgage broker in the U.S. District Court for the District of Connecticut. The Court granted our motion to dismiss in its entirety, dismissing the five-count complaint against the client, which included claims of fraudulent misrepresentation and unfair trade practices related to allegations that the client orchestrated a scheme to fraudulently acquire the business assets of a competitor. The action was dismissed with prejudice and the Court denied the plaintiff leave to amend the pleadings.

E-commerce company—Copyright infringement

Representing client in a copyright infringement action in the US District Court for the Southern District of New York over the client's alleged misuse of copyrighted photographs. Other defendants include Orbitz, Expedia, Frommers, and Hotels.com.

Stockholder—Successful Challenge

Represented a stockholder in successfully challenging and invalidating a provision requiring stockholders to personally indemnify the buyer in a merger transaction.

Defendants—Two Week Jury Trial Victory

Represented defendants breach of contract and misappropriation of trade secrets action. Clients prevailed following jury trial and again on appeal.

Stockholders' Representative—Indemnification Dispute

Represented the stockholders' representative in a post-acquisition indemnification dispute. Negotiated resolution saving stockholders tens of millions of dollars in claimed indemnification.

Defendant—Fraud and Breach of Contract Litigation

Represented defendant in fraud and breach of contract litigation. Negotiated a resolution saving defendant over \$40 million in claimed damages.

Defendant—Breach of Contract

Representing the defendant in a breach of contract and alleged misappropriation of trade secrets dispute.

Industrial equipment manufacturer—Breach of joint venture agreement and related claims dismissed following four day trial

Represented Beumer Corporation and its officers in the Delaware Court of Chancery in response to lawsuit challenging actions of the majority owner of a joint venture, as well as calculation of earn-out payments. After a four day trial, the Vice-Chancellor rejected the \$7 million plus claims for breach of fiduciary duty and breach of the Joint Venture Agreement. The Plaintiffs chose not to appeal.

Rutgers University—Acquisition

Advised Rutgers, the State University of New Jersey, in the acquisition of the University of Medicine and Dentistry of New Jersey.

Shareholder—Successful challenge to majority shareholders' conduct and award of legal fees upheld on appeal

Represented the plaintiff in the matter entitled *Nagle v. Solberg*, Superior Court of New Jersey (Hunterdon County, Chancery Division) where the client challenged the oppressive conduct of the majority shareholders and co-partners in connection with ownership and operation of a privately owned airport. The Chancery Judge ruled in favor of the client following ten days of trial and dismissed the Counterclaim in its entirety. On appeal, the decision was upheld by the New Jersey Appellate Division, including the 100% award of legal fees directed by the trial court.

National broker/dealer investment advisor—Successful defense of \$7.5 million industry claim

Successfully defended a national investment advisor affiliate and its principals against a \$7.5 million claim in a FINRA arbitration involving civil RICO claims and additional claims for unfair trade practices, defamation, breach of contract, tortious interference, conversion, and statutory theft. After 39 days of hearings, the dispute culminated in a defense decision ordering the claimant to pay over \$1.1 million to our clients on the counterclaims, which amount included punitive damages and attorneys' fees.

Manufacturers—Defense counsel in Delaware asbestos litigation

Defense of numerous manufacturers in asbestos product and premises liability dockets in the State of Delaware.

Major chemicals firm—Supply agreement arbitration

Confidential Arbitration: US and Finnish chemicals firms arbitrating supply agreement claims following closure and divestment of a manufacturing plant, resulting in a defense award for our client supplier and a denial of the customer's 8-figure breach claims.

Law firm—Multimillion dollar malpractice claim

Defended a prominent New Jersey law firm in a multi-million dollar legal malpractice claim brought by the U.S. Small Business Administration.

Private college—Successful NJ Supreme Court challenge to State Board of Nursing accreditation denial

Successfully challenged the denial by the State Board of Nursing to accredit a New Jersey-based nursing school and obtained a unanimous reversal of the Board's decision before the New Jersey Supreme Court.

Consolidated rail corporation—Third circuit affirms dismissal of all claims in action challenging property sale

Represented Consolidated Rail Corporation in the United States District Court for the Eastern District of Pennsylvania in an action allegedly based upon an assignment of rights to challenge Conrail's sale of property to a third-party. We successfully invoked the doctrine of champerty to obtain dismissal of the claim and this was affirmed by the United States Court of Appeals for the Third Circuit.

Medical device maker—Case of first impression

Defended a leading medical device manufacturer in an action brought in the District of Connecticut by the operator of an online auction site which facilitates the purchase of medical supplies by hospitals and buying organizations. Plaintiff alleged that our client failed to make payments to the auction operator of a portion of any awarded bid, as allegedly required by the auction rules. We contended that the entire auction payment scheme violates the Federal Anti-kickback Statute as it relates to medical contracts, an issue of first impression under health care regulation. The Court agreed with us and granted summary judgment in all counts.

National registered investment advisor—Successful defense of ERISA claim

Successfully defended a registered investment advisor in an action in the US District Court for the District of Connecticut initiated by trustees of a union fund over losses stemming from investments related to the sub-prime mortgage crisis. Plaintiffs asserted claims for breach of fiduciary duty under ERISA, breach of contract, and negligent misrepresentation based on allegations that our client had failed to monitor the investments exposed to mortgage-backed securities. All claims were resolved under a confidential settlement agreement for a small fraction of the claimed damages and for less than defense costs.

Global financial services company—Dismissal of all claims in “forced placed” insurance federal class action

Secured the complete dismissal of a NJ federal court class action claiming our client and co-defendants engaged in an alleged “forced placed” insurance market “kickback” scheme involving payments and other forms of improper compensation. The victory was particularly significant as it defeated all claims asserted against our client by a plaintiffs' firm which had collected millions of dollars in settlements from defendants in 29 other lender placed insurance class actions.

Foreign corporation—Debt collection matter

Represented a foreign corporation in connection with collection on a debt owed by a French/U.S. dual resident arising out of an international arbitration. The representation includes both litigation in Connecticut Superior Court and consultation with the client regarding French litigation and related U.S. litigation arising from asset purchases.

Spring Air mattress manufacturers and licensees—Antitrust MDL

Served as plaintiffs' counsel for more than a dozen Spring Air mattress manufacturers and licensees in the favorable settlement of a federal MDL against several domestic and international manufacturers of

polyurethane foam. We sought damages and injunctive relief from defendants pursuant to §1 of the Sherman Antitrust Act alleging that, for more than a decade, defendants engaged in a conspiracy to fix the price of polyurethane foam used in our mattress products.

Solid waste hauler—Dismissal of Sherman Act Claims

Represented a commercial solid waste hauler against Sherman Act claims of predatory pricing and attempted monopolization brought by competitors in the Southern District of New York; we secured dismissal of all claims on summary judgment.

Electronics manufacturer—\$33 million judgment

Affirming a \$33 million judgment on behalf of a multinational consumer electronics maker, before the United States Court of Appeals for the Seventh Circuit.

Mail-order retailer—Appellate victory

Affirming the Appellate Division of New Jersey Superior Court's complete dismissal of a \$25 million lawsuit brought by an asset-based lender against our client, a mail-order retailer.

Life insurance company—Jury trial

Represented major life insurance company in two-week jury trial to determine cause and manner of death of named insured.

Investment Management Firm—SEC Investigation

Defended a Swiss investment management firm and its principal in a SEC investigation and civil claims arising from the liquidation of three hedge funds managed by our clients; we favorably settled both matters with no admission of wrongdoing by our clients.

Engine coolant manufacturer—IP dispute

Defended an engine coolant manufacturer in a dispute over the use of assigned intellectual property, in particular the licensing and use of certain patent rights, related know how, and trade secrets, and the payment of royalties from their use. The matter involved complex issues of patent infringement and claims construction of patents related to non-aqueous heat transfer fluid systems.

Chemical company—Multimillion-dollar award

Securing a multimillion-dollar award for a major chemical company in a binding arbitration arising from a chemical supply contract, successfully defeating claims in excess of \$30 million, and prevailing on a counterclaim of approximately \$10 million.

Big-box retailer—Successful tax appeal

Represented a big-box retailer in an ad valorem tax appeal against the City of Milford, Connecticut. We won an approximate 30% reduction in the value of its property, amounting to approximately \$7.5 million. Our client enjoyed the immediate benefit of a \$250,000 credit against its taxes, which will eventually create a tax savings approaching \$650,000 over the next several years.

National bank—Securities fraud

Defended a top national bank against securities fraud claims filed in New Jersey federal court by an investor; secured dismissal of all claims at the pleading stage on a motion to dismiss.

Major bank—Two jury trial wins

Defending a major bank in two jury trial wins and two appeals to the Second Circuit in a \$90 million case brought by secured equipment trust certificate holders alleging breaches of contract, fiduciary duty, and the federal Trust Indenture Act.

Various clients—Alternative dispute resolution

Representing clients in various alternative dispute resolution forums, including the American Arbitration Association and the International Institute for Conflict Prevention and Resolution.

Telecom company—Jury trial

Represented worldwide telecom company in week-long jury trial concerning contractual indemnity and defense obligations.

Major chemicals firm—Supply agreement arbitration

Represented a chemical company in a confidential arbitration in which French, American, and UK chemicals firms disputed breach of contract claims related to the sale of a chemical plant and subsequent supply agreements. Key issues included performance duties required by “best efforts” clauses under Delaware and English law, validity of a series of force majeure declarations, whether the duty of good faith and fair dealing required expenditure to reach industry performance benchmarks, and requirements to retain key employees during a control transfer. Resulted in 8-figure award for our client, including attorneys’ fees and costs.

State of New Jersey—Successful challenge of New York’s amended commuter tax

Represented The State of New Jersey in *Quinn v. The State of New York* in successfully obtaining the declaration of New York’s Amended Commuter Tax as unconstitutional.

Hedge fund—Summary judgment dismissal

Obtaining a summary judgment dismissal of an \$8 billion short-selling RICO conspiracy case in favor of his clients, a preeminent hedge fund group and its principal, in a highly publicized litigation in the Superior Court of New Jersey.

Multinational technology company—Acquisition defense

In re Aruba Networks, Inc. Stockholder Litigation: One of a trio of cases that eliminated “disclosure only” settlements of shareholder derivative cases from Delaware law.

Board of Directors of Yahoo—Special Litigation Committee

Buch v. Filo (a/k/a Yahoo Shareholder Lit’g): Special Litigation Committee of the Board of Directors of Yahoo investigating fiduciary duty claims against D&Os over compensation grants to officers prior to Verizon acquisition.

Real estate investment entity—Fiduciary duty

Feeley v. NHAOCG, LLC et al: Established that managers of Delaware LLC’s owe default fiduciary duties unless expressly disclaimed in the LLC operating agreement, eliminating the “contractarian” theory of LLC governance from Delaware law.

Retailer—Summary judgement

Obtained affirmation of New Jersey Superior Court award of summary judgment to employer based upon exclusive remedy provision of the New Jersey Workers Compensation Act. *Fisher v. Sears, Roebuck and Co.*, 363 N.J. Super. 457 (App. Div. 2003), certif. denied 179 N.J. 310 (2004).

Commercial banks—Litigation over forged checks

Represented Fidelity Intern. Bank in Zambia Nat. Commercial Bank v. Fidelity Intern. Bank, and established comparative negligence of the plaintiff precluding recovery on a claim for forged checks.

Manufacturer—Successful defense of patent licensing dispute

Successfully defended provider of revolutionary glycol-based waterless coolant technology in a dispute over the licensing and use of certain patent rights, related know how, and trade secrets, and the payment of royalties from their use. The matter involved complex issues of patent infringement and claims construction of patents related to non-aqueous heat transfer fluid systems. The arbitrator ultimately awarded the claimants less than one-third of their demand.

Institutional investor—Breach of fiduciary duty for failure to redress sexual harassment

City of Monroe Employees' Retirement System v. Murdoch et al: Shareholder action asserting D&O liability for sexual misconduct patterns at Fox News, resulting in a first-of-its-kind settlement structure via creation of a Workplace Professionalism and Inclusion Council coupled with a \$93 million cash settlement.

Alerts

Regulating Your Grocery Cart: The Push for GMO Labeling, M&E Litigation Alert, 5.17.2014

Foreign Brokers Doing Business in the United States, M&E Business & Financial Services Litigation Alert, 9.5.2014

U.S. Brokers Doing Business Overseas, M&E Business & Financial Services Litigation Alert, 7.17.2014

Court Clarifies Law on Enforceability of Obligations of Non-Signatories in Private Mergers, Business & Financial Services Alert, 12.10.2014

Delaware Law on Advancement of Fees Incurred by Former Officers and Directors, Delaware Law Update, 4.21.2016

Expansiveness of TCPA Limited by ACA's Win in FCC Lawsuit, FCC Alert, 3.22.2018

Don't Forget to Consider this Simple Delaware Law Principle Before Taking Corporate Action, Delaware Law Update, 3.29.2019

Articles

Don't Confuse the Rules of a Criminal Trial with Those of Impeachment, Former Prosecutor Says, Star-Ledger, 11.14.2019

What Does It Mean to Be 'Willful'? Defending Against Willful Violations of Securities Laws, New Jersey Law Journal Special Report: White Collar Crime, August 10.2015

Re-Thinking Voir Dire, DSBA Bar Journal, 9.30.2016

TCPA Claims: FCC Guidance on Key Provisions Remains Elusive, New Jersey Law Journal, 12.12.2016

In Menendez Trial, Jury Was Asked the Impossible: Decipher a Friendship, The Star Ledger, The Trenton Times and on NJ.com, 11.17.2017

Holder Claims: Potential Causes of Action in Delaware and Beyond?, Harvard Law School Forum on Corporate Governance and Financial Regulation, 12.15.2017

Taking Stock of the Block: Blockchain, Corporate Stock Ledgers, and Delaware General Corporation Law—Part I, The Journal of Robotics, 5.1.2018

Taking Stock of the Block: Blockchain, Corporate Stock Ledgers, and Delaware General Corporation Law—Part II, The Journal of Robotics, Artificial Intelligence & Law - Volume 1, No. 4, 5.15.2018

Jurors Should Ask More Questions during Trials, Law360, 11.27.2018

Requests for Proposal and Alternative Fee Arrangements as an Effective Tool for Evaluating and Selecting Outside Counsel, American Bar Association, 3.13.2019

We're About to See the Full Mueller Report, But Will it Change Anyone's Mind?, The Hill, 4.14.2019

ADR in the Age of Cybersecurity, New York Dispute Resolution Lawyer, 4.3.2019

Why Mueller Needs to Testify: The American People Deserve Answers, The Hill, 5.22.2019

The Law of Indemnification and Its Interplay with Liability Insurance, ABA Section of Litigation, 7.23.2019

Best Practices in Pre-Litigation Dispute Resolution, IFA 50th Annual Legal Symposium Background Paper , 4.1.2017

Antitrust Law Developments, ABA Section of Antitrust Law - 8th Edition , 1.1.2017

Delaware Business Court Insider, 2012-2016

Annual Review of Developments in Business and Corporate Litigation, American Bar Association, Corporate Litigation Committee, 2012-2016

Speaking Engagements

Top 7 LLC Mistakes to Avoid in Everyday Business Practices, 12.16.2019

Opting for Alternative Dispute Resolutions – A Former Federal Judge's Perspective, McCarter & English CLE Program, 12.3.2019

Advocate or Obstructionist? Balancing Decorum and a Duty to Cooperate with Zealous Representation, McCarter & English CLE Program, 12.3.2019

Federal Policy Updates, National Contract Management Association, The 53rd Annual March Workshop, 3.12.2014

Effective Coordination Between Accounting Experts and Counsel, 5.12.2014

Essentials in Government Contracting, New Jersey Tech Council, 1.20.2015

Budget Forum & Networking Reception, CIANJ/PENPAC, 4.1.2015

Perspectives on the Business Judgment Rule, New Jersey State Bar Association Annual Meeting and Convention, 5.14.2015

Tips from the Pros: Top Trial Lawyers Share Tips on Effective Advocacy, Connecticut Legal Conference CLE Panel, 5.15.2015

In-House Management of Large and Complex Claims, Hispanic Bar Association of New Jersey, 11.10.2015

Business Litigation—The Year in Review Panel, Business and Commercial Litigation Special Committee of the NJSBA, 12.11.2015

Business Litigation Roundtable, New Jersey State Bar Association, 5.17.2016

Developments in Pharmaceutical and Biotech Patent Law 2016, Practising Law Institute (PLI), 11.9.2016

Practical Alternates to Termination Panel, 50th Annual International Franchise Association Legal Symposium, 5.8.2017

Leadership and Creation of Culture, Penn Leadership Symposium, 5.13.2017

Tips from the Top, Connecticut Legal Conference CLE Panel, August 16.2017

Building Trial Skills, National Institute for Trial Advocacy (NITA), 10.13.2017

Equal Justice Works, National Institute for Trial Advocacy (NITA), 10.29.2017

Litigating Tax Appeals: Key Considerations When Evaluating and Prosecuting an Appeal, 2019 Tax Executives Institute (“TEI”) New England Chapter: SALT Committee Meeting, 2.8.2019

New Jersey Regulators and Investigators Speak: A NJSBA Securities Law Special Committee Meeting, NJSBA, 10.17.2018

NCMA 56th Annual March Workshop, National Contract Management Association (NCMA) Boston Chapter, 3.8.2017

Non-Competes & Non-Disclosure Agreements: Who’s Using Them, and Do They Hold Water?, Employers Association of the Northeast (EANE), 4.22.2019

Court of Chancery Fundamentals, Delaware State Bar Association, 3.2019

Business Litigation Roundtable—Expert Testimony, New Jersey State Bar Association, 12.5.2018

Business Litigation Roundtable—Franchise Termination, New Jersey State Bar Association, 11.30.2017

Handling Business Litigation in Connecticut State and Federal Courts, Super CLE Year-End Program presented by the Connecticut Law Tribune, 12.7.2013

Podcasts

Balance of Power: Trump Ex-Counsel McGahn Ruling, Bloomberg Radio, 11.26.2019

Judge Rules Former White House Counsel Must Testify, Bloomberg Radio, 11.26.2019

Balance of Power: Impeachment Vote, China Trade, Bloomberg Radio, 10.31.2019

Huffman’s Sentence Sets the Floor for Other Parents, Bloomberg Radio, 9.16.2019

TDC Sues UD Over Data Center and Power Plant Termination, Delaware Public Media, WDDE 91.1 FM, 2.4.2015

Parents on Edge as College Cheating Probe Deepens, Bloomberg Radio, 5.3.2019

Mueller Testimony Fails to Energize Trump Probes, Bloomberg Radio, 7.24.2019

Epstein Denied Bail as Danger to Community, Bloomberg Radio, 7.18.2019

Videos

Race, Riots and Reputation: Has N.J.’s Largest City Recovered?, NJ.com, 7.12.2017

Recently Retired Chief Federal Judge Reflects on Career in Public Office, NJTV, 5.21.2019

Quoted

Mistrial Declared on Two Remaining Counts in Hate-Crime Trial of Former NJ Police Chief, WHYY, 10.11.2019

Q&A: Hartford Lawyers Decode CT’s Business Litigation Landscape, Hartford Business Journal, 2.3.2014

Shareholders Fight Hemispherx’s Fee-Shifting In Del. Chancery, Law360, 7.22.2014

Del. University Sued for Axing \$1B Project After Protests, Law360, 2.4.2015

Tipping Point: Developers Are Placing Multimillion Dollar Bets on the Central Business District, Delaware Business Times, 5.11.2015

Study: Wilmington Among Nation’s Best Cities to Be a Lawyer, The News Journal, 7.4.2015

Wilmington Trust Indicted For Allegedly Concealing Bad Loans, Law360, 1.7.2016

Judge Orders Examiner in Zucker Goldberg Bankruptcy Case, Law360, 2.3.2016

AstraZeneca Urges Del. Justices To End Nexium Fraud Case, Law360, 3.2.2016

Prosecutor Fights Discovery In Wilmington Trust Class Suit, Law360, 3.4.2016

Supreme Court Affirms Dismissal of AstraZeneca Class Action, Delaware Law Weekly, 4.20.2016

Supremely Qualified—Walter Timpone, NJ.com, 4.18.2016

Phila. Court Cues Up Appeal Over Risperdal Punitive Damages Issue, The Legal Intelligencer, 5.25.2016

Conflicting Laws Complicate Grimaldi Case, Delaware Online, 5.3.2016

Judge Weighs Bid To Toss Charges In Wilmington Trust Case, Law360, 7.7.2016

Mass. Secret Recording Ban Unconstitutional, Journalist Says, Law360, 11.4.2016

Departing Judge Robinson's Patent Prowess Will Be Missed, Law360, 2.6.2017

Wilmington Trust Says Fraud Indictment May Be Tainted, Law360, August 23.2017

3 Tips for Managing Your Cases at the PTAB, Law360, August 17.2017

Introducing Our Annual Best Practices Guide, Commerce Magazine, 9.15.2017

Corporate Law & Accountability Report, Bloomberg Law, 9.15.2017

Feds Call Wilmington Trust Employees 'Hostile Witnesses', Law360, 9.7.2017

Suit to Enforce Florida Judgment Allowed in Massachusetts, Massachusetts Lawyers Weekly, 10.12.2017

Attorneys for Former Wilmington Trust Execs Criticize Deal with Bank, Delaware Online, 10.11.2017

Former Investment Partner Awarded Millions for Breach of Contract, Connecticut Law Tribune, 11.11.2017

Middle Market Proves Top Prospect for Many AM Law Firms, The Legal Intelligencer, 12.4.2017

Outlook 2018: Insights on...Law, NJBIZ, 1.9.2018

Attorneys Grapple with Best Way to Handle Management, ROI-NJ, 1.23.2018

Call to Ax Weakest Whistleblower Cases Seen as Scaring Away Some Relators, New Jersey Law Journal, 2.2.2018

Take 2: Wilmington Trust Execs Again Days Away from Criminal Trial, Delaware Online, 3.5.2018

Financial Metrics Hold Steady for McCarter & English in '17, New Jersey Law Journal, 2.27.2018

DOJ Claims 'Lies' in Ex-Wilmington Trust Execs' Fraud Trial, Law360, 3.12.2018

Wilmington Trust Execs Say Fed Never Flagged Loan Reports, Law360, 3.20.2018

Wilmington Trust Attorneys Hit Back at Key Government Witness, Delaware Online, 4.3.2018

Wilmington Trust Execs Say Crime Unproven, Seek Case Toss, Law360, 4.16.2018

'Doubt' Fatal to Wilmington Trust Exec Case, Defense Says, Law360, 4.24.2018

Closing Arguments in Fraud Trial of Former Bank Executives, Bloomberg Law, 4.24.2018

Defense Attorneys in Wilmington Trust Case Say Loan Extensions Were Not Illegal, WHYY, 4.24.2018

Should These Bankers Go to Prison? 5-Week Wilmington Trust Trial Wraps, The Philadelphia Inquirer, 4.24.2018

Laster Sets Up Del. Supreme Court Challenge to His \$3B Appraisal of Company HP Bought, Delaware Business Court Insider, 5.21.2018

Top Gov't Contracts Cases from the 2nd Half of 2018, Law360, 12.20.2018

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