

PETER J. PIZZI

Partner, Roseland, New York and Philadelphia
Offices

Telephone: (973) 533-4221

E-mail: ppizzi@connellfoley.com



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Mr. Pizzi is a business litigator with substantial experience in a broad range of subject areas. His practice focuses on business and employment litigation, securities litigation and SRO arbitration, the protection of intellectual property, labor and employment law and Internet law. Mr. Pizzi has handled matters on behalf of corporate clients in a broad array of industries, including pharmaceuticals, finance services, computer technology, cosmetics, industrial equipment, and foodservice and food processors. Within those industries, he is experienced with contract claims, tort actions, whistleblower and discrimination claims, securities and consumer class actions, shareholder derivative suits, minority shareholder disputes, and copyright and trademark actions. The Board of Trial Attorney Certification of the Supreme Court of New Jersey designated Mr. Pizzi a Certified Civil Trial Attorney in 1998. He was recertified in 2006.

He is a member of the Executive Committee of the New York State Bar Association's Commercial and Federal Litigation Section, and Co-Chair of the Section's Internet and Litigation Committee. He also serves as Co-Chair of the New Jersey State Bar Association's Internet and Computer Law Committee.

Mr. Pizzi regularly lectures at CLE programs, frequently writes on issues relating to technology law, and is often consulted by news media for insight regarding technology-related topics.

Published Decisions

- National Utility Service Inc. v. Huntsman Chemical Corporation, 70 F. Supp.2d 496 (D.N.J. 1999)
- National Utility Service, Inc. v. Chesapeake Corporation, 45 F.Supp.2d 438 (D.N.J. 1999)
- APC Commodity Corp. v. Ram Dis Ticaret, A.S., 965 F. Supp. 461 (S.D.N.Y. 1997)
- NYT Cable TV v. Homestead at Mansfield, Inc., 543 A.2d 10 (N.J. 1988)
- Direct Satellite Communications, Inc. v. Bd. of Publ. Util., 615 F. Supp. 1558 (D.N.J. 1985);
- Heating and Plumbing Engineers, Inc. v. H. J. Wilson Co., Inc., 698 P.2d 1364 (Ct. App. Colo. 1984)

Publications:

- Co-Author, "A Primer on Net Neutrality" (with Stephen Elliot) (November 2007)
- Author, "Disloyal Employees" published in the *New York Law Journal* (September 5, 2006)
- Author, "Google Image Search: Court Deals a Blow to Fair Use in Adult Site Litigation" published in the *New York Law Journal* (May 2, 2006)
- Author, "Patent Injunctions: The Effect of the Public Interest in NTP v. RIM" published in the *New York Law Journal* (March 14, 2006)
- Author, "The Google Book Project Takes Aim at Industry's Content Cache" published in the *New York Law Journal* (January 3, 2006)
- Author, "Grokster Means More Litigation For Tech Firms" published in the *New Jersey Law Journal* (August 8, 2005)
- Author, "Employer Communication: E-Mail Can Compel Employees to Arbitrate Workplace Claims" published in the *New York Law Journal* (July 5, 2005)

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Practice Areas:

Business Litigation
Labor and Employment Law
Internet and Information Technology

Admitted to Practice:

State of New Jersey
State of New York
Commonwealth of Pennsylvania
State of Colorado
United States District Court for the
District of New Jersey
United States District Court for the
Eastern District of New York
United States District Court for the
Southern District of New York
United States District Court for the
District of Colorado
United States Court of Appeals for the
Third Circuit
United States Court of Appeals for the
Federal Circuit

Education:

Bowdoin College (A.B., *magna cum
laude*, Government, 1975)
Fordham University School of Law (J.D.,
1978)

Affiliations:

American Bar Association
Essex County Bar Association
New Jersey State Bar Association
New York State Bar Association

ROSELAND

85 Livingston Avenue Roseland, NJ 07068
Tel (973) 535-0500 Fax (973) 535-9217

JERSEY CITY

Harborside Financial Center
2510 Plaza Five, Jersey City, NJ 07311
Tel (201) 521-1000 Fax (201) 521-0100

NEW YORK CITY

888 Seventh Avenue, New York, NY 10106
Tel (212) 262-2390 Fax (212) 262-3118

PHILADELPHIA

1500 Market Street, 12th floor, East Tower
Philadelphia, PA 19102
Tel (215) 246-3403 Fax (215) 665-5727

Profile of Peter J. Pizzi continues from the previous page

Publications *(continued from previous page):*

- Author, "*Lessons from Uncle Henry's*" published in the *New York Law Journal* (May 3, 2005)
- Author, "Idea versus Expression: Copyright Claim for Industrial Parts Vexes the Third Circuit" published in the *New York Law Journal* (with Noel D. Humphreys) (February 22, 2005)
- Author, "Perfect 10 v. Google, Adult Web Site Challenges Search Engine on Image Hits" published in the *New York Law Journal* (January 4, 2005)
- Author, "Sony v. Does: P2P Filesharing May Involve Protected Speech" published in the *New York Law Journal* (October 4, 2004)
- Author, "'Doe' Defendants: The RIAA's New Front in the Battle Against 'P2P' Filesharers" published in the *New York Law Journal* (June 8, 2004)
- Co-Author, "Strategies for Unmasking the 'Anonymous' Internet User" published in the New York State Bar Association's *Commercial and Federal Litigation Section Newsletter* (with Rajen Akalu) (Spring 2004)
- Co-Author, "Opting In: Congress Passes the Can-Spam Act of 2003" (with M. Trevor Lyons) (2004)
- Author, "Grappling with 'Cybersmear'" published an article in the *New Jersey Law Journal* (July 23, 2001)
- Author, "*Sons of Thunder v. Border*: State High Court Has No Faith in Contracts" published in *The Legal Opinion Newsletter* (October 24, 2007)

Professional Activities:

- Interviewed, MasterCard Worldwide website on Averting Legal Battles with Former Employers (2008)
- Scheduled Speaker, Practising Law Institute's 2008 Information Technology Law Institute, "Litigation Issues in the Web 2.0 World" (2008)
- Interviewed, *Money Matters* syndicated radio show on the RIM Patent Battle (2006)
- Interviewed *Money Matters* syndicated radio show on Grokster and the File-Sharing Conundrum (2005)
- Panelist, New York State Bar Association Commercial and Federal Litigation Section Spring Meeting, "Ethical Issues Presented by Ex Parte Subpoenas To Unmask Anonymous Defendants" (2004)
- Panelist, New Jersey ICLE Seminar, "Privacy Issues in the E-Workplace: Individual Freedom of Speech vs. The Company's Right to Protect Itself" (2001)
- Panelist, New Jersey ICLE Labor Law Forum & Bench Bar Conference, "Cyber Smear" Litigation, Privacy, The Internet and the Workplace" (2001)

Representative Experience:

- Lead a team performing an internal investigation of whistleblower claims by a former employee of one of New Jersey's largest insurance and financial services companies;
- Defended a consumer class action which presented issues under the Class Action Fairness Act and a class-action waiver clause;
- Obtained dismissal of a Sarbanes-Oxley whistleblower complaint;
- Obtained a favorable jury verdict defending a college professor's claims of sex discrimination;
- Tried to a favorable federal court jury verdict an unfair competition case;
- Succeeded at trial in a minority shareholder's squeeze-out lawsuit; and
- Successfully represented corporate officers in securities class actions and related SEC investigations.