

# CONNELLFOLEY

ATTORNEYS AT LAW

TRADITION

INNOVATION

IMPACT

**E**stablished in 1936, Connell Foley LLP has attained an enviable record of achievement in litigation, corporate law, and a broad range of specialty areas. In order to maintain our longstanding position as one of the premier law firms in the metropolitan region, the firm continually commits itself to:

- delivering dynamic legal representation in established as well as emerging areas of law
- efficiently managing services to achieve a successful outcome in a cost-effective manner
- cultivating positive partnerships with clients based upon trust and responsive communications.

Our lawyers, who now number more than 120, are organized into distinct practice areas, including litigation, alternative dispute resolution, construction, insurance, corporate law, business crimes and regulatory defense, professional liability, intellectual property, toxic torts and environmental law, taxation and estate planning, real estate law, land use, employment, labor and immigration law, and bankruptcy.

Because of the diversity of talents among our lawyers and the collegial atmosphere in which we practice, we can assemble an interdisciplinary team of specialists to meet the demands of the most complex matters with insight and economy.

We are widely recognized for our achievements in trial advocacy. Fourteen of the firm's litigators are certified by the Supreme Court of New Jersey as civil trial lawyers, and many of the firm's trial lawyers have been honored by the American College of Trial Lawyers, the American Board of Trial Advocates, the International Association of Defense Counsel, and similar elite organizations.

Other Connell Foley practice groups are equally distinguished. Business clients from a wide spectrum of industries turn to the firm's corporate lawyers for comprehensive counseling and transactional services. Attorneys concentrating in environmental and insurance law regularly write and lecture about these rapidly developing areas of the law, and represent clients both in litigation and regulatory compliance matters. Real estate and land use specialists guide clients through all aspects of land acquisition, developmental approvals, and financing. The firm's construction law group has earned a national reputation in complex cases involving major public and private projects.

Although Connell Foley has the resources of a large law firm, we view the practice of law foremost as a personal service, whether the client is a multinational corporation or an entrepreneur embarking upon a new venture.

## PRACTICE GROUPS

- Alternative Dispute Resolution
- Aviation Law
- Banking Law and Finance
- Bankruptcy, Reorganization and Creditors' Rights
- Business Litigation
- Construction Law
- Corporate Law and Transactions
- Crisis Management and Catastrophic Loss
- Directors and Officers Litigation
- Environmental Law
- Health Care and Medical Practice
- Insurance Law
- Intellectual Property
- Internet and Information Technology
- Labor and Employment Law
- Mass Tort and Toxic Tort Litigation
- Product Liability and Tort Law
- Professional Liability
- Public Finance
- Real Estate Law and Land Use
- Subrogation
- Taxation and Estate Planning
- Transportation Law

## PARTNERS

Adrian M. Foley, Jr.	Kevin R. Gardner	Patrick J. Hughes	M. Trevor Lyons
George J. Kenny	Robert E. Ryan	James C. McCann	Craig S. Demareski
Kenneth F. Kunzman	Michael X. McBride	John D. Cromie	W. Nevins McCann
Samuel D. Lord	Jeffrey W. Moryan	Angela A. Iuso	Thomas J. O'Leary
Richard D. Catenacci	Edward S. Wardell	William T. McGloin	Mitchell W. Taraschi
Richard J. Badolato	Peter J. Smith	Brendan Judge	Michael A. Shadiack
Peter D. Manahan	William P. Krauss	Stephen A. Urban	Owen C. McCarthy
John B. Murray	Brian G. Steller	Charles J. Harrington, III	Patricia A. Lee
Mark L. Fleder	Philip F. McGovern, Jr.	Stephen V. Falanga	Agnieszka Antonian
Kevin J. Coakley	Karen Painter Randall	Tricia Bevelock O'Reilly	Christopher J. Tucci
Thomas S. Cosma	Liza M. Walsh	Anthony F. Vitiello	Neil V. Mody
Kathleen S. Murphy	John P. Lacey	Marc D. Haefner	Christine S. Orlando
Patrick J. McAuley	Michael J. Crowley	Jonathan P. McHenry	
Peter J. Pizzi	Timothy E. Corrison	Brad D. Shalit	

## COUNSEL

John W. Bissell	Noel D. Humphreys	Richard A. Jagen	Alexis E. Lazzara
Eugene J. Codey, Jr.	Anthony Romano, II	Joseph M. Murphy	Daniel B. Kessler
Francis J. Orlando, Jr.	Steve Barnett	Nancy A. Skidmore	
Francis E. Schiller	Karin I. Spalding	Jason E. Marx	
Eugene P. Squeo	Jodi Anne Hudson	Thomas M. Scuderi	

## ASSOCIATES

Douglas J. Short	Stephen D. Kessler	Christopher M. Hemrick	Neil V. Shah
James M. Merendino	Christopher Abatemarco	Susan Kwiatkowski	Stephen R. Turano
Michele T. Tantalla	Anthony J. Corino	Monica Seth	Tara L. Touloumis
Hector D. Ruiz	William D. Deveau	Melissa D. Lopez	Stephen A. Kroll
Robert A. Verdibello	Conor F. Murphy	Andrew L. Baron	Robert M. DiPisa
Jennifer C. Critchley	Meghan Barrett Burke	Jason D. Falk	Matthew A. Baker
Patrick S. Brannigan	Rukhsanah L. Lighari	Michael J. Shortt	Michael J. Creegan
Daniela R. D'Amico	Stacie L. Powers	Joanna S. Rich	Thomas M. Blewitt, Jr.
Christine I. Gannon	Nicole B. Dory	Meghan K. Musso	Brian Wolfson
Philip W. Allogramento III	Joseph A. Villani, Jr.	Edmund J. Caulfield	Sonya B. Cole
Laurie B. Kachonick	Michael Bojbasa	Sydney J. Darling	Molly F. Hurley
Andrew C. Sayles	Ekta Patel	Jessica L. Palmer	James E. Figliozzi

**CONNELL FOLEY LLP**  
connellfoley.com

**Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

**New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

**Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

**Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

**Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

**Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## ALTERNATIVE DISPUTE RESOLUTION

Alternative Dispute Resolution (ADR) is a diverse and rapidly evolving practice area. As such, Connell Foley LLP's ADR department includes some of our most experienced attorneys. Now widely recognized as an expeditious and cost-sensitive alternative to complex litigation, ADR has emerged as an invaluable tool for the resolution of controversies that previously would have required countless hours of legal work and judicial intervention.

We firmly believe that ADR options such as arbitration, mediation and the use of a special master or fact-finder should be available to our clients as a part of a complete menu of dispute resolution capabilities. Many disputes are appropriate for traditional litigation and must be resolved through adjudication in the courts, either at trial or through dispositive motion practice. While Connell Foley LLP is increasing its efforts to employ ADR techniques, we acknowledge that traditional litigation will remain the right option for dispute resolution in certain kinds of settings. The delay, expense and uncertainty inherent in 21st century litigation demand that individuals and business entities alike have options which can avoid these disadvantages.

While all of our attorneys have experience in advocacy and conflict resolution, the members of our ADR team are recognized as experts dedicated to the efficient resolution of construction, finance, insurance, environmental, land use, intellectual property, employment, and other types of commercial disputes. The experience of these lawyers has made Connell Foley LLP a regional leader in Alternative Dispute Resolution.

Chaired by John W. Bissell, retired Chief Judge, United States District Court, District of New Jersey, recently joined by Eugene J. Codey, Jr., retired Presiding Judge, Superior Court Essex County, Civil Division, our attorneys represent the pinnacle of expertise in this rapidly growing legal field. With decades of experience in case evaluation, mediation and arbitration, our ADR department can quickly pinpoint the legal issues that drive litigation, and offer a forum for resolution outside the courtroom. Whether using our ADR experience for our own clients, or acting as a neutral third party, Connell Foley LLP provides insightful, creative and practical counsel to help minimize the expense and frustration of the litigation process. By using a less adversarial approach, we are able to resolve cases early—often before the parties must incur the expenses associated with extensive discovery and the retention of experts.

**Contact:** *John W. Bissell*

### Partners/Counsel

*Richard J. Badolato*  
*John W. Bissell*  
*Eugene J. Codey, Jr.*  
*Kevin R. Gardner*  
*George J. Kenny*  
*Kathleen S. Murphy*

*Thomas J. O'Leary*  
*Francis J. Orlando, Jr.*  
*Robert E. Ryan*  
*Peter J. Smith*  
*Brian G. Steller*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## AVIATION LAW

For more than four decades, Connell Foley's Aviation Group has effectively handled all aspects of aviation representation and counseled nearly every type of entity involved in aviation.

Our Aviation Group, with over 150 jury trials taken to verdict, is fully versed in Federal and State Court practice and procedure. In addition, we have successfully represented clients before the Federal Aviation Administration, Department of Transportation, Department of Justice, and guided our clients through National Transportation Safety Board investigations.

Our partners were lead counsel for several airline defendants and an airport operator in the multibillion dollar consolidated wrongful death and property damage lawsuits filed in connection with the 9/11 terrorist attacks.

We offer the most cost-effective representation to domestic, regional, and international airlines (Part 91, 121, 135), cargo and freight forwarders, general aircraft and helicopter manufacturers, component manufacturers, maintenance and repair facilities, fixed-based operators, airports, flight schools, parachute and balloon operators, individual pilots and contractors, airline contractors and service companies, and other commercial entities.

We have successfully handled aviation matters involving:

- Airline crash and ground incidents
- Airport security issues
- Assault
- Commercial and transactional matters
- Contract and indemnity issues
- Emergency planning and evacuation
- Employment, boarding and other discrimination
- Environmental and Hazmat issues
- Federal multidistrict litigation
- GARA issues
- General aviation crashes
- Helicopter accidents
- Midair collisions
- Pre-emption issues
- Premises liability
- Product liability
- Terrorist attacks
- Turbulence
- Warsaw and Montreal Convention issues
- Wrongful death and significant personal injury

### Contact:

*Jeffrey W. Moryan*  
*Michael J. Crowley*

### Partners/Counsel

*Michael J. Crowley*  
*Patrick J. Hughes*  
*Patricia A. Lee*  
*Jonathan P. McHenry*  
*Jeffrey W. Moryan*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## BANKING LAW AND FINANCE

Our Banking Law and Finance team is counsel to many of the nation's leading banks and insurance companies.

We provide timely and cost-effective legal services to clients in connection with commercial loans, including real estate, asset-based, construction, revolving credit and term loans. Our attorneys represent clients in multiple phases of a loan transaction, including the initial closing, workout and/or restructuring of delinquent financings, foreclosure of real property and appointment of a receiver. Our firm also defends banks against lender liability claims and tort actions.

The team's success is reflected not only in our leadership on banking and finance transactions, but also in the depth and breadth of our engagements. For example, we served as lead counsel for a consortium of banks in the takeover of one of the largest condominium projects on the East Coast. We also represented one of the nation's largest banks to resolve tax, environmental, bankruptcy, title, zoning, and lending issues in the restructuring of a multi-million dollar real estate transaction. Our group regularly serves as bond counsel to the New Jersey Economic Development Authority (EDA).

Our team is flexible, with the expertise to provide specialized counsel for particular industry segments, and cross-cutting legal guidance for larger, multi-faceted projects.

**Contact:** *Philip F. McGovern, Jr.*

### **Partners/Counsel**

*Thomas S. Cosma*

*John D. Cromie*

*Stephen V. Falanga*

*Noel D. Humphreys*

*Brendan Judge*

*Alexis E. Lazzara*

*W. Nevins McCann*

*Michael X. McBride*

*Philip F. McGovern, Jr.*

*Thomas M. Scuderi*

*Christopher J. Tucci*

*Liza M. Walsh*

**CONNELL FOLEY LLP**  
connellfoley.com

#### **Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### **New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### **Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### **Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### **Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### **Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## BANKRUPTCY, REORGANIZATION AND CREDITORS' RIGHTS

The Bankruptcy, Reorganization and Creditors' Rights Group at Connell Foley LLP provides sophisticated guidance for all bankruptcy and pre-bankruptcy workouts.

Our team focuses on out-of-court workouts and Chapter 11, 7, and 13 bankruptcy proceedings. Our primary practice emphasis is on the representation of banks and other major secured and unsecured creditors and equity holders. We also serve as counsel to purchasers of assets from entities in reorganization or liquidation, to debtors-in-possession, and to bankruptcy trustees in Chapter 11 reorganization and Chapter 7 liquidation proceedings.

We are experts in the negotiation and implementation of consensual plans of reorganization, stay relief applications and cash collateral orders. We regularly represent clients in bankruptcy litigation, including contested plans of reorganization; valuation hearings; the prosecution and defense of preference and fraudulent transfer actions; and assumption and/or rejection of executory contracts and leases.

We represent borrowers in commercial foreclosures including preparation and filing of complaints, applications for rent receivers, defense of lender liability claims, and other affirmative defenses to foreclosure.

**Contact:** *Stephen V. Falanga*

**Partners/Counsel:**

*Stephen V. Falanga*

*Christopher J. Tucci*

**CONNELL FOLEY LLP**  
connellfoley.com

**Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

**New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

**Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

**Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

**Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

**Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## BUSINESS LITIGATION

Connell Foley LLP's Business Litigation team offers a wealth of experience in diverse business litigation specialties. Our practice is recognized for its full range of unsurpassed litigation services. We assist clients in establishing long-term strategies, providing preventative analysis and resolving disputes when they arise. Our pre-eminent experience in business litigation at both the state and federal levels has enabled us to maintain cutting-edge perspectives and to provide our clients with the best possible representation. The services we offer are wide-ranging, and include guidance in matters related to commercial disputes; antitrust; business crimes and regulatory compliance; closely-held corporations; franchising, securities, and technology disputes; and a myriad of other areas.

**ANTITRUST.** We have earned a reputation for excellence through our involvement in some of the most complex antitrust litigation to reach our state and federal courts in recent years. Whether dealing with the confidential and sensitive issues of licensing and investigations or aggressively defending the most complicated litigation, our broad base of experience provides a solid foundation from which our diverse team of capable attorneys can provide expansive yet cost-effective representation.

**Contact:** *Liza M. Walsh*

**BUSINESS CRIMES AND REGULATORY COMPLIANCE.** We represent corporations and individuals in federal and state grand jury investigations and trials. We also counsel on internal corporate investigations into possible criminal violations.

**Contact:** *John P. Lacey*

**CLOSELY-HELD CORPORATIONS.** Our attorneys are adept at addressing issues related to the dissolution of closely-held corporations and partnerships; abuses of control; and allegations of a minority shareholder squeeze-out.

**Contact:** *Thomas S. Cosma*

**COMMERCIAL DISPUTES.** We have a long and distinguished history in commercial litigation practice at all levels of the state and federal judiciary. Our consistent litigation activity has not only endowed Connell Foley LLP with a full and varied expertise, but has also ensured our involvement in shaping the contours of contract law, both in New Jersey and regionally.

**Contact:** *Tricia Bevelock O'Reilly*

**FRANCHISING.** We represent franchisors in all aspects of the franchise relationship, including preparation of franchise circulars, state and federal regulatory matters, and litigation pertaining to franchises.

**Contact:** *Jeffrey W. Moryan*

*continued on back*

**CONNELL FOLEY LLP**  
connellfoley.com

**Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

**New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

**Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

**Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

**Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

**Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

*continued from front*

**TRADE SECRETS AND PROPRIETARY INFORMATION.** Connell Foley LLP attorneys are well-versed in the protection of trade secrets and proprietary information critical to our clients' ability to maintain competitive advantage. Whether counseling clients on measures to implement in order to protect proprietary information or making applications to courts for the enforcement of employment and other non-disclosure covenants, Connell Foley LLP attorneys have the expertise and experience to secure these vital commercial assets.

**Contact:** *Kevin R. Gardner*

**SECURITIES.** Our team regularly represents broker-dealers in licensing and other proceedings before the Securities and Exchange Commission, NASD, and New Jersey Bureau of Securities. We handle customer arbitrations before SROs and the American Arbitration Association, as well as litigation before state and federal courts. Our firm is highly experienced in securities class actions and shareholder derivative suits, in addition to managing directors and officers insurance issues triggered by shareholder litigation.

**Contact:** *Peter J. Pizzi*

**Partners/Counsel**

*Agnieszka Antonian*

*John W. Bissell*

*Richard D. Catenacci*

*Kevin J. Coakley*

*Timothy E. Corrison*

*Thomas S. Cosma*

*John D. Cromie*

*Michael J. Crowley*

*Craig S. Demareski*

*Adrian M. Foley, Jr.*

*Kevin R. Gardner*

*Marc D. Haefner*

*Jodi Anne Hudson*

*Patrick J. Hughes*

*Angela A. Iuso*

*Brendan Judge*

*William P. Krauss*

*Kenneth F. Kunzman*

*John P. Lacey*

*Alexis E. Lazzara*

*Patricia A. Lee*

*Peter D. Manahan*

*Patrick J. McAuley*

*Michael X. McBride*

*Owen C. McCarthy*

*William T. McGloin*

*Philip F. McGovern, Jr.*

*Jonathan P. McHenry*

*Jeffrey W. Moryan*

*Neil V. Mody*

*Thomas J. O'Leary*

*Tricia Bevelock O'Reilly*

*Christine S. Orlando*

*Peter J. Pizzi*

*Karen Painter Randall*

*Robert E. Ryan*

*Francis E. Schiller*

*Peter J. Smith*

*Eugene P. Squeo*

*Brian G. Steller*

*Mitchell W. Taraschi*

*Christopher J. Tucci*

*Liza M. Walsh*

*Edward S. Wardell*

## CONSTRUCTION LAW

The issues surrounding construction law are both complex and fast-changing. Environmental concerns, politics and local economies are just some of the issues affecting the construction industry. The firm's construction law group represents owners, developers, design professionals, suppliers, contractors, architects and engineers in all phases of legal disputes.

The group's partners serve as general counsel to the Associated General Contractors of New Jersey, Inc.; the Construction Industry Advancement Program; and the New Jersey Society of Asphalt Technologists. Our lawyers have served as chair for four separate terms of the New Jersey State Bar Association's Construction and Public Contract Law Section. Partners in this group lecture at leading construction industry seminars. Our partners also serve as arbitrators and mediators for the American Arbitration Association.

The group's partners have decades of experience in handling all aspects of public bidding law matters — including both litigation and dispute resolution and counseling clients in this area. We handle large construction defect cases and delay claims through litigation in state and federal courts, arbitration, mediation, and other alternate dispute resolution mechanisms.

We publish articles of interest to the industry on important legislation, case law and issues, and conduct construction and government contract seminars for clients.

### Contact:

*Michael X. McBride*

*Mark L. Fleder*

### Partners/Counsel

*Agnieszka Antonian*

*Thomas S. Cosma*

*John D. Cromie*

*Mark L. Fleder*

*Angela A. Iuso*

*Brendan Judge*

*Patricia A. Lee*

*Michael X. McBride*

*William T. McGloin*

*Joseph M. Murphy*

*Thomas J. O'Leary*

*Karen Painter Randall*

*Robert E. Ryan*

*Peter J. Smith*

*Mitchell W. Taraschi*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## CORPORATE LAW AND TRANSACTIONS

The attorneys in Connell Foley LLP's Corporate Law and Transactions group provide legal counsel to businesses representing virtually all aspects of commerce. Whether the client is a start-up or is firmly established, our attorneys are adept at solving a business entity's complex issues and disputes.

Our legal services include guidance on selection and entity formation (corporations, limited liability companies, partnerships and joint ventures); advise on acquisitions and divestitures (stock, assets and mergers); counseling on the financial aspects of transactions including corporate finance of mezzanine, tax-exempt and SBA loans; preparation and negotiation of commercial agreements (distribution, sales, licensing of software and joint development agreements); and tax counseling.

We offer specialized counseling to entrepreneurs and start-up firms as well as large, multi-national public companies in a wide variety of industries from specialty chemical companies to integrated construction companies to emerging technologies.

Highlights of recent engagements include:

- counseling a privately-held company in connection with a corporate and financial restructuring and initial public offering;
- counseling a major privately owned real estate developer in connection with a merger into a publicly traded real estate investment trust;
- completing the acquisition of a major New Jersey racetrack and its subsequent sale;
- counseling the underwriting of \$66 million in certificates of participation for the construction of a major corporate headquarters in New Jersey;
- representing the acquiring entity in a leveraged buy-out of a major consumer products division of a Fortune 100 corporation;
- counseling on tax-exempt bond financing for a 315,000 square-foot air cargo facility at Newark Liberty International Airport;
- representing the acquiring entity of a major recycling facility in West Virginia;
- representing a large automobile dealership in its sale to General Motors Corporation;
- representing a Fortune 500 client in its acquisition of a resins operation at a large chemical company; and
- counseling on tax-exempt bond financing for a publicly-held retail food franchisor.

**Contact:** *John D. Cromie*

### Partners/Counsel

*Thomas S. Cosma*

*John D. Cromie*

*Adrian M. Foley, Jr.*

*Patrick J. Hughes*

*Noel D. Humphreys*

*Daniel B. Kessler*

*Kenneth F. Kunzman*

*Alexis E. Lazzara*

*Patrick J. McAuley*

*Michael X. McBride*

*W. Nevins McCann*

*Philip F. McGovern, Jr.*

*Joseph M. Murphy*

*John B. Murray*

*Thomas M. Scuderi*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## CRISIS MANAGEMENT AND CATASTROPHIC LOSS

Connell Foley LLP offers a uniquely qualified group of professionals experienced in responding to the myriad consequences of large fires, explosions, structural collapses and other catastrophic events. Our attorneys have represented businesses, educational institutions and other entities in connection with fires, pipeline ruptures, explosions and other losses. These representations have ranged from events affecting a small number of persons to incidents involving thousands of claims and hundreds of lawsuits for personal injury, property damage and other relief. The scale and complexity of such matters requires special expertise in diverse areas. In addition to the representation in all stages of proceedings — from claims and causation investigation through trial — Connell Foley LLP attorneys can handle all other aspects of catastrophic losses including insurance coverage questions, criminal investigations, administrative and regulatory proceedings, OSHA investigations, environmental law issues and media relations.

Our team can respond immediately to catastrophic events with qualified experts and investigators to protect the interests of the client by preserving evidence and initiating appropriate investigations. Our experience has shown that a rapid response, supported by the necessary personnel and resources, can be critical to the ultimate disposition of claims arising from catastrophic events. An essential element of our crisis management practice is the use of public relations professionals who not only manage media inquiries, but help to develop an appropriate public message for the client to minimize the adverse consequences to industry and community standing.

Connell Foley LLP lawyers also assist the client in developing and implementing action plans and crisis response protocols so that the client is prepared to react immediately to catastrophic events involving facilities, products or properties. This proactive approach serves to improve ongoing operations and procedures thereby reducing the prospect of adverse occurrences.

**Contact:** *Kevin R. Gardner*

### **Partners/Counsel**

*Steven Barnett*

*Timothy E. Corrison*

*Kevin R. Gardner*

*George J. Kenny*

*John P. Lacey*

*Owen C. McCarthy*

*Jonathan P. McHenry*

*Robert E. Ryan*

*Brian G. Steller*

**CONNELL FOLEY LLP**  
connellfoley.com

#### **Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### **New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### **Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### **Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### **Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### **Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## DIRECTORS AND OFFICERS LITIGATION

Connell Foley LLP provides a broad array of services in the field of directors and officers (D&O) liability defense as well as in related areas of D&O insurance coverage.

We have decades of experience defending director and officer clients in class action securities fraud suits and shareholder derivative actions, as well as in suits alleging claims for breach of fiduciary duty, self-dealing, usurpation of corporate opportunities, unlawful distribution of corporate assets, discrimination and other alleged wrongdoing. D&O parties can also have exposure in traditional breach of contract and commercial matters.

Our D&O insurance specialists advise insurance company clients with respect to a wide range of D&O matters — including policy interpretation, coverage analysis, monitoring of underlying litigation and the litigation or arbitration of disputed claims. D&O cases in which we have provided advice and counsel to insurance clients include many large securities class actions, antitrust actions, and other suits which have been prominently in the news.

We also represent insurers on claims made against D&O policies of publicly traded companies, private companies, non-profit entities and limited and general partnerships. These matters are frequently litigated in state and federal court as well as various ADR forums.

Attorneys in the group frequently lecture and write on the coverage and defense of D&O suits.

### **Contacts:**

Insurance Coverage, *Robert E. Ryan*  
D&O Defense, *Karen Painter Randall*  
Securities, *Peter J. Pizzi*

### **Partners/Counsel**

*Craig S. Demareski*  
*George J. Kenny*  
*John P. Lacey*  
*Peter J. Pizzi*  
*Karen Painter Randall*  
*Robert E. Ryan*

### **CONNELL FOLEY LLP** connellfoley.com

#### **Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### **New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### **Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### **Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### **Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### **Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## ENVIRONMENTAL LAW

Connell Foley LLP provides legal counseling and representation in all facets of environmental law to multinational companies, large New Jersey corporations, smaller businesses, and individuals. We regularly counsel clients on environmental laws and regulations and their effects on individuals, companies and public and private communities. Our practice spans many areas, including permitting of activities in wetlands, coastal and waterfront areas, and flood plains; regulation of solid waste, hazardous waste and hazardous substance generation, transportation, disposal and remediation activities; permitting of air emissions and effluent discharges; and identification, evaluation and allocation of environmental costs, rights and obligations arising from properties such as infill development, historic structures, Greenfields, Greyfields, and Brownfields.

Our attorneys represent “Potentially Responsible Parties” connected to contaminated sites in enforcement actions brought by federal, state and local governments. We have negotiated settlements in environmental litigation involving the U.S. Environmental Protection Agency, the U. S. Department of Justice, and state regulatory authorities under the Federal Superfund law (CERCLA), and lawsuits filed, and directives issued, by federal and state agencies.

We also represent clients in environmental actions brought by private parties. Our team has represented generators, operators and landowners in the litigation of individual claims and mass toxic tort cases arising from contaminated sites including those involving complex allocations of environmental costs and liabilities. We have also represented clients in the transfer, development and preservation of environmentally-impaired properties nationwide and in New Jersey pursuant to such laws as the Industrial Site Recovery Act (ISRA), Brownfields and Contaminated Site Remediation Act, and Hazardous Discharge Site Remediation Act (HDSRA). Financing for Brownfield and other environmental projects in New Jersey may be available from the New Jersey Hazardous Discharge Site Remediation Fund and through the Environmental Infrastructure Trust/Financing Program which finances landfill closures, environmental investigation and remediation, water-quality-justified land acquisition, construction of and upgrades to storm water management systems, wastewater treatment facilities, sludge handling facilities, and drinking water projects.

**Contact:** *Jeffrey W. Moryan*

### Partners/Counsel

*Agnieszka Antonian*  
*Steve Barnett*  
*John W. Bissell*  
*Kevin J. Coakley*  
*Timothy E. Corrison*  
*John D. Cromie*

*Angela A. Iuso*  
*Patrick J. McAuley*  
*Philip F. McGovern, Jr.*  
*Jonathan P. McHenry*  
*Neil V. Mody*  
*Jeffrey W. Moryan*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## HEALTH CARE AND MEDICAL PRACTICE

The health care industry is subject to increasingly complex market changes, regulatory constraints, and governmental scrutiny. Our Health Care and Medical Practice Group is able to help navigate health care providers through the maze to address challenges and meet opportunities.

Our multi-disciplined group combines the comprehensive expertise of its professionals to represent individual medical practitioners, partnerships, professional corporations, and other affiliations of professionals, as well as medical staff and health care joint ventures. The firm provides a full range of services to clients, including:

- Advice on entity formation and corporate governance;
- Negotiating buy/sell agreements, operating agreements and shareholder agreements;
- Drafting, reviewing and negotiating agreements;
- Managing corporate transactions involving financing, mergers and acquisitions, affiliations, and joint ventures;
- Handling contract and business disputes;
- Assisting with medical staff relationships involving credentialing, privileges and peer review;
- Representing providers before professional boards;
- Managing labor and employment matters;
- Overseeing administrative and civil litigation;
- Handling patient treatment issues of consent requirements and policy guidelines;
- Counseling on fraud and abuse statutes and investigations;
- Conducting Medicare and Medicaid audits and reviews;
- Implementing corporate compliance programs;
- Counseling on Department of Insurance investigations;
- Providing professional liability and medical malpractice defense; and
- Advising on HIPAA requirements.

### Contacts:

*Patrick J. Hughes*

*John D. Cromie*

### Partners/Counsel

*John D. Cromie*

*Patrick J. Hughes*

*George J. Kenny*

*John P. Lacey*

*Peter D. Manahan*

*Karen Painter Randall*

*Robert E. Ryan*

*Thomas M. Scuderi*

*Brian G. Steller*

CONNELL FOLEY LLP  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## INSURANCE LAW

Since the founding of Connell Foley in 1936, the firm has been widely recognized for our premier expertise in the area of insurance law. Led by a team of experts in this field, our Insurance Law Practice represents clients with exceptional skill and insight.

### Insurance Coverage Practice Group

For more than six decades, the firm has developed/maintained a sophisticated coverage practice that handles a broad array of complex, specialized, and large exposure matters for a variety of domestic and international clients.

Our unsurpassed expertise covers many different types of insurance coverage areas. Connell Foley routinely counsels, monitors, and litigates on coverage matters involving products liability, professional liability, construction defects, environmental exposures, asbestos matters, toxic torts, mold litigation, class actions, aviation liability, business interruption, first-party property, health care, life and disability, trademark infringement, and bad faith/extra-contractual claims, among other areas. Connell Foley has also long been at the forefront in cutting-edge areas of insurance law, such as the recent surge in the need to protect our clients' insurance rights through the bankruptcy proceedings of major corporations. In all respects, Connell Foley's insurance coverage practice group has consistently achieved strong results in state, federal, and alternative dispute resolution settings.

A firm partner, (George J. Kenny) and former partner (Frank Lattal) are co-authors of "New Jersey Insurance Law," the standard text for New Jersey insurance practitioners. It contains summaries and comments on all reported New Jersey coverage cases and touches upon numerous topics, including rights and obligations of insurers, duty to defend, general liability policies, homeowner policies, and personal injury protection insurance.

### Insurance Defense Practice Group

Since its inception, Connell Foley has also provided strong litigation advocacy and defense for major international and national claims, achieving satisfactory extraordinary results for our clients across the spectrum of insurance defense. Our skills reach across all levels, including litigation at trial and appellate levels, arbitration, and client counseling and advice.

Our vast professional services include commercial property losses, automobile negligence, products liability, construction liability, premises liability, malpractice, railroad liability, subrogation prosecution and defense, environmental litigation, and contractual liability. We also offer our clients educational seminars on significant legal developments in the area of litigation.

### Contacts:

*Jonathan P. McHenry*  
*Robert E. Ryan*

*continued on back*

CONNELL FOLEY LLP  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

*(continued from front)*

**Partners/Counsel**

*Richard J. Badolato*

*Steve Barnett*

*Richard D. Catenacci*

*Timothy E. Corrison*

*Kevin R. Gardner*

*Jodi Anne Hudson*

*Patrick J. Hughes*

*Angela A. Iuso*

*Brendan Judge*

*George J. Kenny*

*William P. Krauss*

*Samuel D. Lord*

*Owen C. McCarthy*

*William T. McGloin*

*Jonathan P. McHenry*

*Neil V. Mody*

*Jeffrey W. Moryan*

*Kathleen S. Murphy*

*Karen Painter Randall*

*Robert E. Ryan*

*Brian G. Steller*

## INTELLECTUAL PROPERTY

Connell Foley LLP's intellectual property practice group is actively engaged in procuring and protecting intellectual property rights for clients in a wide variety of industries.

The firm has served as litigation counsel in patent cases involving major pharmaceutical products as well as in cases involving high-technology products and services. The firm also represents clients in copyright litigation, having prosecuted and defended infringement actions pertaining to software, toys, and other products and in piracy cases requiring the seizure of counterfeit software. The firm also handles litigation involving the protection of trademark rights to consumer products and other goods and services. Connell Foley LLP's lawyers represent clients in the procurement of intellectual property rights before the United States Patent and Trademark Office and the United States Copyright Office and are frequently called upon to negotiate the assignment and licensing of such rights.

The firm has wide experience in unfair competition, trade secret, restrictive covenant, and employee piracy cases. Connell Foley LLP's broad experience in these cases, coupled with its technological resources, enables the firm to meet client needs in this demanding area of litigation.

The firm's in-depth focus on intellectual property law, particularly as applied to high-technology industries, was the motivating force behind its decision over a decade ago to establish a firm website, making it the first New Jersey-based law firm on the web. As its pioneering website confirms, the firm is committed to meeting client needs involving the complexities of cyberspace as well as those of more traditional areas of intellectual property law.

### Contacts:

*Peter J. Pizzi*

*Liza M. Walsh*

### Partners/Counsel

*Agnieszka Antonian*

*Richard D. Catenacci*

*Kevin R. Gardner*

*Marc D. Haefner*

*Noel D. Humphreys*

*Brendan Judge*

*John P. Lacey*

*Peter D. Manahan*

*Tricia Bevelock O'Reilly*

*Peter J. Pizzi*

*Mitchell W. Taraschi*

*Liza M. Walsh*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## INTERNET AND INFORMATION TECHNOLOGY

At Connell Foley LLP, we truly understand the power of the Internet to affect people's lives and businesses. And we practice what we preach — in 1995, we became the first New Jersey-based law firm to operate its own website.

We represent both vendors and users of computer and other technology systems in transactions and in the dispute resolution/litigation context. We have extensive experience negotiating and drafting vendor agreements, software licensing agreements, technology transfer transactions, and partnership agreements in the context of technology exchanges. Our attorneys are capable of handling both sides of transactions.

We are recognized for our expertise in litigation involving cyber defamation. Where anonymous posters engage in “cyber smear,” the first order of business is to “unmask” the poster in order to seek redress against those responsible. Our partners have published articles and lectured on this subject.

Our team keeps abreast of federal and state legislation pertaining to the Internet. In addition, the firm handles domain name disputes and claims against cybersquatters, website pirates, and other infringers. We counsel employers regarding Internet use policies and related workplace issues.

In response to the phenomenon of the Internet, many of our clients have sought enhanced protection for their intellectual property rights. The firm has assisted its clients in numerous trademark and copyright issues, including disputes over domain names, mark registrations and infringement protection.

**Contact:** *Peter J. Pizzi*

### **Partners/Counsel**

*Marc D. Haefner*

*Noel D. Humphreys*

*M. Trevor Lyons*

*Tricia Bevelock O'Reilly*

*Peter J. Pizzi*

**CONNELL FOLEY LLP**  
connellfoley.com

#### **Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### **New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### **Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### **Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### **Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### **Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## LABOR AND EMPLOYMENT LAW

Labor and employment issues are at the heart of any business. Whether the client is an international organization with thousands of employees, or a smaller business trying to compete, every business has labor and employment matters that need expert attention.

Our labor and employment attorneys represent clients facing claims of wrongful discharge, breach of employment contracts, alleged discrimination, and retaliation under the ADEA, Title VII, ADA, FMLA, NJLAD, and violation of other federal and state anti-discrimination and whistle-blower statutes. We also have extensive experience counseling clients concerning restrictive covenants and trade secrets and in related litigation.

We are accomplished trial lawyers in this field, taking difficult cases to jury verdicts with successful outcomes. We have also achieved highly successful results short of trial, including awards of summary judgment dismissing whistle-blower suits, discrimination and retaliation actions, and common-law wrongful discharge claims.

We represent employers in traditional labor matters, such as NLRB proceedings, union organizing campaigns, collective bargaining, labor arbitrations, enjoining strike misconduct and unlawful picketing. The team also represents employers sued by individuals, labor organizations, and government agencies for terminating or altering employee benefits, including retiree-medical benefits, withdrawing from or terminating multi-employer plans, and other alleged denials of benefits under ERISA, LMRA, ADEA and various state laws.

We provide counseling that is forward-looking, helping clients to make employment-related decisions intended to avoid or reduce the risks of litigation.

We also represent domestic and foreign corporations in their employment-related immigration matters, including obtaining work visas for foreign nationals and permanent resident status for key employees.

**Contact:** *Tricia Bevelock O'Reilly*

### Partners/Counsel

*John W. Bissell*

*Kevin R. Gardner*

*Marc D. Haefner*

*John P. Lacey*

*M. Trevor Lyons*

*Kathleen S. Murphy*

*Tricia Bevelock O'Reilly*

*Peter J. Pizzi*

*Michael A. Shadiack*

CONNELL FOLEY LLP  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## MASS TORT AND TOXIC TORT LITIGATION

Our team specializes in the legal, medical and scientific defense of complex toxic and mass tort litigation nationwide. This team has the capacity to serve as national counsel, depending upon the needs of individual clients. The defense philosophy of our team is that many toxic and mass tort cases lack legal or scientific merit and rigorous evaluation is a means by which an effective trial defense can be presented on behalf of the client.

**TOXIC TORT.** We offer extensive trial experience in toxic tort cases involving asbestos, silica, lead, benzene, vinyl chloride, talc, and chemical exposures. Our team has obtained defense verdicts on behalf of manufacturers, distributors and premises owners in the mesothelioma and cancer cases in several jurisdictions, including New Jersey, New York, California and Maryland.

**MASS TORT.** Within this practice area, we specialize in personal injury and property damage mass claims. We have successfully defended claims relating to exposures to chemicals, over the counter medications, large fires, explosions, and other catastrophes as well as exposures to hazardous substances. For example, our team has represented a public utility in one of the largest fire damage cases in the United States as well as a pipeline operating in connection with a major pipeline explosion. We have also represented chemical manufacturers in mass tort cases filed by work site employees, drug manufacturers for claims filed by consumers, and petroleum manufactures in matters seeking damages for personal injury and diminution of property value.

**CLASS ACTIONS.** We have successfully defended and defeated class actions asserted against chemical manufacturers, drug manufacturers and insurance providers.

### Contacts:

*Timothy E. Corrison*

*Kevin R. Gardner*

### Partners/Counsel

*Steve Barnett*

*Timothy E. Corrison*

*Michael J. Crowley*

*Kevin R. Gardner*

*Patrick J. Hughes*

*Angela A. Iuso*

*Jonathan P. McHenry*

*Jeffrey W. Moryan*

*Karen Painter Randall*

*Robert E. Ryan*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## PRODUCT LIABILITY AND TORT LAW

For decades, Connell Foley LLP has been in the forefront in the litigation of product liability and tort actions. We provide counsel in all areas of potential liability, including the design, manufacture and distribution of consumer, commercial and industrial products. Our partners are recognized authorities in this area of the law, having lectured and written extensively on product liability developments locally as well as nationally, and who have translated their knowledge and experience into results for our clients. We have earned our reputation for excellence by applying our unique mix of experience and innovation as lead counsel in significant cases and class action suits in state and federal courts.

The scope of our experience is best reflected in the range of products which we have defended — including industrial machinery; construction equipment and materials; HIV-tainted blood; silicone breast implants; ephedra; food and food services; consumer products; medical devices; motor vehicles (design and production defects); pharmaceutical packaging; and recreational and safety equipment.

### Contacts:

*Kevin R. Gardner*

*Robert E. Ryan*

### Partners/Counsel

*Richard J. Badolato*

*Richard D. Catenacci*

*Timothy E. Corrison*

*Michael J. Crowley*

*Kevin R. Gardner*

*Jodi Anne Hudson*

*Patrick J. Hughes*

*Angela A. Iuso*

*Brendan Judge*

*George J. Kenny*

*William P. Krauss*

*Owen C. McCarthy*

*William T. McGloin*

*Jeffrey W. Moryan*

*Karen Painter Randall*

*Robert E. Ryan*

*Brian G. Steller*

*Mitchell W. Taraschi*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## PROFESSIONAL LIABILITY

Connell Foley LLP has a preeminent reputation in the field of professional liability litigation. We have assembled a group of trial attorneys dedicated to the successful litigation and trial of professional malpractice matters. This practice group, formed in response to the significant expansion of professional liability litigation, consists largely of attorneys who have been designated as Certified Civil Trial Attorneys by the Supreme Court of New Jersey.

Our team has extensive experience in the litigation and trial of architectural, engineering, legal, medical, dental, accounting, real estate broker and insurance agent malpractice actions. We have represented professionals in state and federal court as well as in administrative proceedings, arbitrations and before appellate courts. In addition, our attorneys have substantial expertise in the evaluation of insurance coverage issues and the litigation of declaratory judgment and contract actions in the context of professional malpractice matters. Our commitment to professional liability litigation has fostered an appreciation of the unique issues presented in such litigation. While the firm prides itself on the ability of its attorneys to bring professional liability matters to successful jury verdict, we also recognize the need to pursue alternative dispute resolution of certain complex litigation matters in order to bring such matters to expedited, cost-effective conclusions.

We also take pride in having lectured and written on professional liability issues ranging from risk management to current defense and coverage issues. The breadth of experience we possess makes the firm well suited to handle all varieties of professional liability matters to achieve the best result possible.

### Contacts:

*Robert E. Ryan*

*Karen Painter Randall*

### Partners/Counsel

*Craig S. Demareski*

*Patrick Hughes*

*Angela A. Iuso*

*George J. Kenny*

*Patricia A. Lee*

*William T. McGloin*

*Jeffrey W. Moryan*

*Karen Painter Randall*

*Robert E. Ryan*

*Brian G. Steller*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## PUBLIC FINANCE

Connell Foley LLP has a distinguished and comprehensive Public Finance group experienced in serving as bond counsel, underwriter's counsel, borrower's counsel and trustee's counsel in connection with publicly offered, long-term tax-exempt bonds and other similar financings.

As bond counsel, the firm has extensive experience in obtaining financing of development projects through participation in the New Jersey Environmental Infrastructure Trust/Fund Loan Program which finances landfill closure and clean-up of Brownfields and contaminated properties, water-quality-justified land acquisition, construction of and upgrades to storm water management systems, wastewater treatment facilities, sludge handling facilities, and drinking water projects. For the last several years the firm has represented the largest participant in this program, the Rahway Valley Sewerage Authority, in obtaining millions of dollars to redevelop its waste water treatment facility.

In its capacity as underwriter counsel on behalf of Morgan Stanley & Co., JP Morgan Chase and Merrill Lynch & Co, the firm has served with respect to numerous financings, including bonds and certificates of participation issued by the New Jersey Health Care Facilities Financing Authority, the New Jersey Educational Facilities Authority, the New Jersey Transit Authority and various municipal and county utility authorities.

As borrower counsel, the firm has broad experience representing borrowers in obtaining tax-exempt financings. Recent examples include our representation of Seton Hall University in the financing of a new science center and a unit of Railroad Construction Company, Inc. in the issuance of New Jersey Economic Development Authority (EDA) bonds.

We have served as corporate trust counsel for leading financial institutions, including Wachovia Bank, N.A., Commerce Bank, N.A. and Wilmington Trust Corp., in connection with a vast array of project financings.

The firm is listed in The Bond Buyer's Directory of Municipal Bond Dealers (also known as "the Redbook").

**Contact:** *Philip F. McGovern, Jr.*

### **Partners/Counsel**

*John D. Cromie*

*Adrian M. Foley, Jr.*

*Kenneth F. Kunzman*

*Philip F. McGovern, Jr.*

**CONNELL FOLEY LLP**  
connellfoley.com

#### **Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### **New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### **Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### **Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### **Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### **Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## REAL ESTATE LAW AND LAND USE

Our team offers substantial expertise in real estate law and land use, including development, financing and leasing. We have represented developers in connection with subdivision, site plan and related permits and approvals for projects of nearly every size and character, including regional shopping malls, such as New Jersey's Bridgewater Commons; industrial projects, such as the worldwide communications facility for United Parcel Services; complex, multi-faceted transportation, commercial office and retail projects such as the Allied Junction Secaucus Connection Rail Station; landlords and tenants in lease-up of mixed-use, multi-tenanted, stand-alone and build-to-suit projects; and many residential developments of various sizes and densities.

We are experienced in issues related to zoning; federal, state and local permitting; and regulatory requirements relating to sewer, water, wetlands, stream encroachment, coastal and waterfront development, and hazardous substances. We also offer counsel in regard to governmental "takings" of real property in the context of inverse condemnation, having successfully litigated landmark cases in this area on behalf of property owners adversely impacted by government regulation.

Our team also offers extensive experience in transactions involving real estate investment trusts (REITs) and similar real estate investment vehicles. Our real estate and land use background has been particularly useful to financial institutions in transactions substantially collateralized by real estate assets.

We are counsel to a major public authority, the Casino Reinvestment Development Authority (CRDA), which exercises powers of eminent domain for various types of developments, including facilities for commercial, industrial, residential, recreational and other uses and related infrastructure. Our team also serves as counsel to CRDA in all phases of development planning, including land acquisition by condemnation or purchase, permitting, construction, environmental remediation, and related matters.

Our Jersey City office has been counsel to many of the leading developers in the Hudson County, New Jersey area. We are well-qualified and specialize in complex urban redevelopment projects, including tax abatement agreements related thereto.

We are also experienced in navigating issues pertaining to highly regulated projects governed by specific statutes such as those pertaining to coastal protection, wetlands, the Pinelands, and the Highlands Preservation Area and the New Jersey Meadowlands.

**Contact:** *Kevin J. Coakley*

### Partners/Counsel

*Agnieszka Antonian*

*Kevin J. Coakley*

*John D. Cromie*

*Charles J. Harrington, III*

*Alexis E. Lazzara*

*Patricia A. Lee*

*Patrick J. McAuley*

*Michael X. McBride*

*James C. McCann*

*W. Nevins McCann*

*Philip F. McGovern, Jr.*

*Joseph M. Murphy*

*John B. Murray*

*Anthony Romano II*

*Francis E. Schiller*

*Thomas M. Scuderi*

*Eugene P. Squeo*

*Stephen A. Urban*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## SUBROGATION

Connell Foley's Subrogation Practice Group evolved from the expertise it developed litigating claims since its inception in 1936. Over the past seventy five years, Connell Foley has been recognized as a preeminent litigation firm with expertise in general and specialty litigation. Our attorneys are recognized by both their peers and the courts as experts in their respective fields. Also, our attorneys regularly author publications and articles on diverse litigation topics including emerging trends and important holdings. Our expertise permits us to provide complimentary accredited CLE to clients.

Connell Foley recognizes that clients have varied preferred practices for subrogation matters. We want to ensure that for each matter, we are providing not only the best representation, but also the best cost effective representation. As a result, for subrogation matters, in addition to traditional contingent fee representation, we also offer to clients, hourly and hybrid fee agreements. We want to ensure that our clients have the option to select the most appropriate manner to pursue the recovery.

It is our philosophy that early involvement is often critical to our efforts to achieve the best result. As such, we are available to assist clients in all phases of the litigation commencing with the initial investigation and ending with a successful recovery. Our team includes qualified experts and investigators who are available to assist in a broad array of specialties. We have the special expertise to handle diverse areas of subrogation litigation including:

- Automobile Accidents
- Aviation Accidents
- Construction Defects
- Environmental Contamination
- Explosions
- Fidelity and Surety bonds
- Fires
- Natural Disasters
- Manufacturing Defects

### Contacts:

*Timothy E. Corriston*

*Brian G. Stellar*

### Partners/Counsel

*Timothy E. Corriston*

*Michael J. Crowley*

*Kevin R. Gardner*

*Patrick J. Hughes*

*Angela A. Iuso*

*Brendan Judge*

*Jeffrey W. Moryan*

*Thomas J. O'Leary*

*Robert E. Ryan*

*Brian G. Stellar*

*Christopher J. Tucci*

**CONNELL FOLEY LLP**  
connellfoley.com

#### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

## TAXATION AND ESTATE PLANNING

Our estate planning team provides solutions in the design, drafting and implementation of complex wills, trusts, family partnerships, limited liability companies and all significant personal planning techniques. We offer tax counseling in selecting, forming and operating charitable entities, business transactional structuring, and tax structuring for compensation issues.

Toward the goal of asset preservation and protection, we advise professionals and others concerned about personal liability and assist in the implementation of asset protection techniques. Our team has extensive experience in developing and implementing unique off-shore and on-shore plans and strategies, including various off-shore trust structures.

Our attorneys have had continued success in representing clients in civil tax matters before the Internal Revenue Service and various states' taxing authorities. We maintain a significant practice in the administration of estates and trusts, have successfully represented clients in substantial will contests, and continue to advise clients on controversies in the area.

The Chair of this department, Anthony F. Vitiello, was named to *Worth* magazine's December 2005–2008 editions "Top 100 Attorneys" list of the top lawyers nationwide specializing in trust and estates, philanthropy, elder care, matrimonial and other private practice areas.

In recent matters, attorneys in the group:

- Provided advice relating to, and implemented, estate plans for estates and trusts ranging in value from five million dollars to more than one billion dollars;
- Transferred closely held businesses to younger generations at significantly discounted values;
- Provided significant asset protection advice to clients with creditor sensitivity, ranging from professionals with the potential for future creditor risk to multi-national families (and their trusts) seeking to ensure the insulation of vast multi-generational fortunes from a host of potential risks;
- Provided advice concerning, and implemented, various charitable giving techniques for clients' estate plans, including significant family foundations ranging in initial funding from less than \$1,000,000 to over \$10,000,000;
- Successfully defended against numerous audits and civil tax prosecutions including: settled a tax litigation where the Internal Revenue Service asserted in excess of twenty million dollars in gift tax liability, penalties and interest for less than \$300,000; negotiated a settlement with the California taxing authority involving more than \$5,000,000 in income tax, penalties and interest for \$200,000; negotiated a settlement with the Internal Revenue Service that allowed a taxpayer charged with a civil tax fraud deficiency in excess of \$600,000 to pay 15 cents on the dollar; successfully settled numerous family partnership/LLC gift and estate tax audits for substantial discounts;

*continued on back*

CONNELL FOLEY LLP  
connellfoley.com

### Roseland

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

### New York

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

### Philadelphia

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

### Jersey City

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

### Cherry Hill

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

### Spring Lake

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

*continued from front*

- Designed multiple private and third-party insurance premium financing transactions ranging from ten million dollars to over one hundred million dollars in insurance death benefit;
- Developed and implemented various off-shore asset protection trusts using Bahamian, Cook Islands and Swiss structuring components;
- Successfully leveraged tens of millions of dollars of real estate value out of a senior generation's estate into dynasty trusts for multi-generational wealth transfer;
- Advised multinational estate planning clients on various aspects of estate, income and gift taxation, implemented estate plans for individuals with international estate planning issues and created structures for the avoidance of U.S. estate tax consequences for non-resident aliens with U.S. estate tax issues; and
- Represented and advised hundreds of executors and families in the administration of decedents' estates, including those with multi-state and multi-national issues, unique, varied and substantial assets and complex tax and non-tax issues.

**Contact:** *Anthony F. Vitiello*

**Partners/Counsel**

*Daniel B. Kessler*

*Kenneth F. Kunzman*

*Jason E. Marx*

*Brad D. Shalit*

*Karin I. Spalding*

*Anthony F. Vitiello*

## TRANSPORTATION LAW

Connell Foley LLP's transportation attorneys have a wealth of experience counseling clients in the trucking and aviation industries. Our expertise covers all aspects of personal injury and property damage litigation, as well as non-litigated matters. Firm members are experienced in organizing and supervising serious injury investigations and handling serious injury and wrongful death cases to completion. We maintain a network of professionals, including accident reconstructionists and others, to assist as required.

Our lawyers have extensive trial experience. We improve our knowledge of the transportation industries not only through trial practice but also participation in a number of professional associations, including the Transportation Lawyers Association, the Defense Research Institute and the USLAW Network, Inc. Through USLAW, we are able to coordinate the legal needs of our transportation clients throughout the country.

**Contact:** *Jeffrey W. Moryan*

### **Partners/Counsel**

*Michael J. Crowley*

*Kevin R. Gardner*

*Brendan Judge*

*Jeffrey W. Moryan*

**CONNELL FOLEY LLP**  
connellfoley.com

#### **Roseland**

85 Livingston Avenue  
Roseland NJ 07068  
973.535.0500

#### **New York**

888 Seventh Avenue  
9th Floor  
New York NY 10106  
212.307.3700

#### **Philadelphia**

1500 Market Street  
12th Floor East Tower  
Philadelphia PA 19102  
215.246.3403

#### **Jersey City**

Harborside  
Financial Center  
2510 Plaza Five  
Jersey City NJ 07311  
201.521.1000

#### **Cherry Hill**

Liberty View Building  
457 Haddonfield Road  
Suite 230  
Cherry Hill NJ 08002  
856.317.7100

#### **Spring Lake**

The Atrium, Suite E  
309 Morris Avenue  
Spring Lake NJ 07762  
732.449.1440

ROSELAND

NEW YORK

PHILADELPHIA

JERSEY CITY

CHERRY HILL

SPRING LAKE