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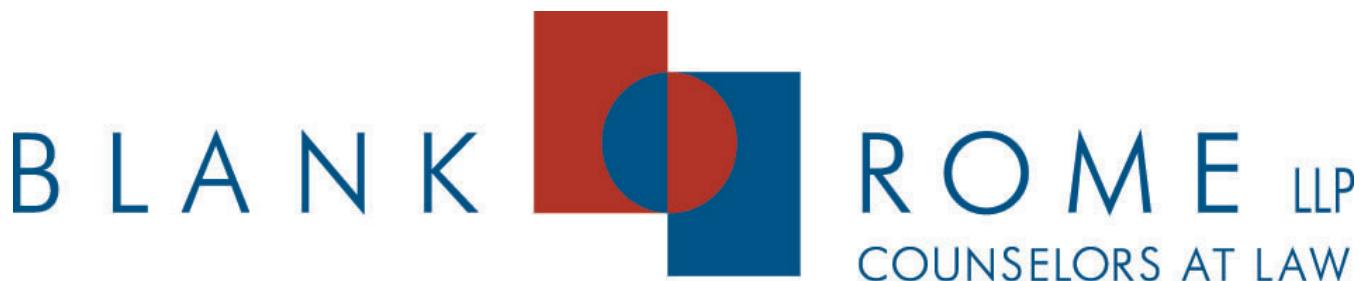
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Litigation Department of the Year General Litigation (1st Finalist)



Left to right, Blank Rome's Jonathan Korn, Seth Lapidow, Rachel Gallagher, Bruce Gorman, Stephen Orlofsky, Michael Conlan, Adrienne Rogove, Michael Rowe, David Kistler and Andrew Hughes



Eager for Peace, Ready for Combat

Blank Rome is equally adept at litigation and litigation alternatives

Blank Rome's litigation practice consists of 202 attorneys with experience handling a wide variety of matters in state and federal courts. It has deep bench in complex commercial matters and is as well versed in "bet the company" litigation as it is with litigation alternatives.

The department, with litigators in 10 offices — Philadelphia, New York, Washington, D.C., Princeton, Los Angeles, Houston, Wilmington, Del., Cincinnati, Boca Raton, Fla., and Hong Kong — has adapted effectively to rapid globalization and is equipped to serve the needs of clients on a national and international scale.

With several nationally known former judges among the practitioners, including Princeton office Administrative Partner Stephen M. Orlofsky, Blank Rome has built one of the superior arbitration and appellate practices among full-service litigation departments.

The Princeton office's litigators have extensive experience in complex commercial litigation, and represent corporations and individuals in general commercial, corporate, intellectual property, construction, appellate, securities and antitrust, white collar, entertainment, class-action, commercial and residential real estate, media and telecommunications, labor and employment, environmental, and other types of litigation.

Attorneys appear frequently before federal and state trial courts and appellate courts nationwide, as well as various arbitration associations; have received numerous awards; frequently lecture and publish articles concerning a wide range of issues relating to complex commercial litigation; support various charitable organizations; and regularly provide pro bono legal services.

Blank Rome is outcome-focused, but not to the exclusion of costs. Attorneys evaluate new litigation, meet with clients to explain issues and discuss goals, and formulate a plan, which also is reviewed with the client. Gaining an understanding of the issues and the client's goals at the outset can achieve immediate results.

When appropriate, attorneys attempt to meet with opposing counsel to discuss the possibility of early resolution. When an agreement

cannot be reached, Blank Rome — along with the client — develops a strategy for achieving the client's goals in the most cost-efficient manner, including by developing a budget that identifies the attorneys assigned to the matter and their rates, estimated number of hours and disbursement by category. Blank Rome reviews this budget with the client and obtains approval before performing additional tasks.

Also, in order to respond to client demands and current economic challenges, the firm offers alternative fee arrangements, including flat- or fixed-fee arrangements, fixed monthly retainers, contingency agreements, capped or blended rates, and rate accommodations based on volume and other criteria.

Major Litigators:

- Stephen Orlofsky (partner, Princeton, admitted 1974) — heads the Princeton office and the firm's appellate practice; U.S. District judge from 1996 to 2003 and a U.S. magistrate judge from 1976 to 1980; has experience litigating, arbitrating, mediating and serving as a special master in a wide variety of matters, including appellate, commercial, securities, antitrust, intellectual-property and class-action matters.

- Adrienne C. Rogove (partner, Princeton, 1984) — is commercial litigation vice practice group leader and a member of the firm's appellate practice group; has extensive experience in construction, real estate, contract and commercial litigation; also handles shareholder and partnership disputes in state and federal court, as well as non-compete, employment and product liability matters.

- Jonathan Korn (partner, Princeton, 1992) — has experience with complex commercial litigation, including breach of contract, fraud and real estate litigation, and intellectual property matters including trade secret disputes; represented a national homebuilder, food-and-beverage companies, an international retailer, a manufacturer and other business entities.

- Michael Conlan (partner, Princeton, 1993) — has extensive commercial litigation experience in state and federal court; also handles employment, creditors' rights, partnership and corporation, trust-and-estate, contract and other matters; successfully rep-

resented a national payment-processing company, a manufacturer and other entities at trial; former United Way chairman and general counsel.

- Michael Rowe (partner, Princeton, 1998) — has extensive experience in complex commercial litigation; frequently appears in federal and state trial and appellate courts in New Jersey and New York, and before various arbitration associations; has represented publicly traded entities, including an international medical equipment manufacturer at trial, a broker-dealer in FINRA arbitration, and a credit-card-processing company.

- Seth Lapidow (partner, Princeton, 1988) — has handled many cases involving contract disputes, antitrust claims, partnership disputes, mergers and acquisitions, media law, advertising claims, donor intent and securities fraud; litigated contract disputes, antitrust claims and purchase price-adjustment arbitrations as senior in-house litigation counsel to Viacom; also previously practiced at Pellettieri, Rabstein & Altman and Saul Ewing.

- David Kistler (partner, Princeton, 2001) — focuses on commercial litigation, including class action defense, business torts, contract disputes and appellate litigation; has represented both plaintiffs and defendants in intellectually property and shareholder and partnership disputes in state and federal courts; clients include a national tanning salon chain, real estate entities, and the New England Patriots football team and coach Bill Belichick in a suit by a Jets season ticket holder in connection with the "Spygate" scandal.

- James T. Smith (partner, Philadelphia, 1983) — chairs the firm's Litigation Department; has more than 29 years experience in complex commercial litigation and white collar criminal defense.

- Grant Palmer (partner, Philadelphia, 1989) — leads commercial litigation practice group; has extensive trial and appellate experience in complex litigation matters, both civil and criminal in nature; chairs pro bono committee.

- Andrew Hughes (associate, Princeton, 2008) — has represented clients in federal and state court in commercial litiga-

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tion matters, including contract, defamation, employment and non-competition matters; clerked for former state Supreme Court Justice John Wallace Jr.

Cases of Note:

- *Wilson v. Jersey City*, New Jersey Supreme Court — The court on March 8, 2012, held that the 9-1-1 immunity statute insulates 9-1-1 operators and their employers from civil liability for the negligent mishandling of emergency calls. Following remand, the Appellate Division that June found the evidence insufficient to constitute willful and wanton misconduct, affirming dismissal. Jersey City retained Blank Rome to brief and argue the issues before the court in the case, which was brought against the city and other parties after emergency responders failed to locate an apartment where a family had been stabbed.

- *Nafar v. Hollywood Tanning Systems, Inc.*, U.S. Court of Appeals for the Third Circuit — Blank Rome represents the company, a franchisor of Hollywood Tans indoor-tanning salons. In June 2012, the Third Circuit vacated the U.S. District Court's order certifying a nationwide class of customers who claimed the defendant wrongly emphasized the tanning machines' safety, failed to properly label them and exaggerated the benefits of indoor tanning through advertising. The court remanded the case to the District Court, which dismissed a number of the claims and denied various subsequent attempts to certify a nationwide class.

- *Brian Carter v. Estate of George Lewis Jr.*, U.S. District Court, New Jersey — The plaintiff, a neurologically impaired man who claimed he was placed with an abusive minister as an orphaned child, was represented pro bono by Blank Rome, which amended his pro se complaint and successfully overcame statute-of-limitations and other defenses. The court in December 2012 denied all defense summary judgment motions, leading to a pretrial settlement with four former state Division of Youth and Family Services employees for \$1.4 million; and with AME Zion Church of America, Shrewsbury Avenue AME Zion Church and Rev. Theodore T. Callioun Sr. on confidential terms.

- *Savely v. Viacom International Inc./MTV Networks*, U.S. District Court, New Jersey — The plaintiff, a subway musical performer shown briefly in a documentary claiming he had refused to consent to use of his image, settled in March 2012 with MTV and Viacom after Blank Rome, asserting First Amendment rights, obtained two dismissals and moved to dismiss a third claim on their behalf, thus avoiding a potentially adverse decision and costly discovery during which they may have had to produce confidential business information. The plaintiff agreed to release MTV from claims relating to future use of his image, thereby entitling MTV to air the documentary without alteration.

- *Noren v. Heartland Payment Systems Inc.*, Superior Court, Bergen County Law Division — The firm defended Heartland, a Princeton-based credit card processing com-

pany, against retaliation and whistleblower claims by a former sales associate who alleged he was owed \$26 million in back pay. The court dismissed seven of his nine claims and, after a 22-day bench trial, issued a 69-page decision on June 29, 2012, dismissing the remaining claims with prejudice.

- *J.T. and K.P v. Ronald Ortiz, Viacom International Inc. and MTV Networks*, Superior Court, Ocean County Law Division — The court in December 2012 dismissed defamation, false light, racketeering, declaratory relief and other claims by two men who were filmed at a shore bar during an episode of *Jersey Shore* — one ended up in fisticuffs with a cast member — and claimed they denied consent to show their images on the show. The court also denied a request for injunctive relief and held MTV not liable for the conduct of Ortiz and others.

- *U.S. Home Corp. v. Medford Village East Associates*, Superior Court, Burlington County Chancery Division — Plaintiff Lenmar Homes sought to purchase a 280-acre tract designated for development in Medford Township, paying a \$6 million deposit to defendant Medford Village East Associates (MVE). When the developers filed for bankruptcy protection, Lennar sought the return of its deposit, and obtained a foreclosure judgment and writ of execution authorizing sale of the property. Blank Rome entered the matter on Lenmar's behalf, successfully opposing MVE's last effort to vacate the judgment, its appeals and a bankruptcy petition. The parties settled in December 2012 with MVE agreeing to dismiss all appeals, and pay the final judgment, including the \$6 million deposit, along with interest and attorney fees.

- *Everton v. Morgan Properties*, Superior Court, Burlington County Law Division — Blank Rome represented Morgan Properties, an apartment management company that owns and manages 120 apartment communities with almost 30,000 apartment homes in New Jersey, Pennsylvania, Delaware, New York and elsewhere. The court dismissed a putative class action alleging that the company violated the Consumer Fraud Act by requiring tenants to reimburse hot water costs and violated the Truth-in-Renting Act and Civil Rights Act by including a jury waiver provision in its leases. ■

Blank Rome by the Numbers

	Firm-wide	N.J. Office
Department size	202	15
Department as percentage of firm (head-count)	43%	3%
Department as percentage of firm (revenue)	39%	4%



MICHAEL J. CONLAN

DAVID C. KISTLER

JONATHAN M. KORN



SETH J. LAPIDOW

STEPHEN M. ORLOFSKY

ADRIENNE C. ROGOVE

MICHAEL A. ROWE



ANDREW J. HUGHES

BRUCE M. GORMAN, JR.

RACHEL J. GALLAGHER

*The Princeton office of Blank Rome LLP
is honored to receive
the First Finalist Award in General Litigation
as the Litigation Department of the Year*



STEPHEN M. ORLOFSKY
NEW JERSEY ADMINISTRATIVE PARTNER

301 Carnegie Center 3rd Floor Princeton, NJ 08540 609.750.2646

www.BlankRome.com