



MICHAEL P. O'MULLAN

Practice Areas

Financial Services

Litigation

Securities Litigation, Arbitration, Regulation and Investigations

Products Liability, Toxic Tort and Mass Tort

Insurance and Reinsurance Law

Cyber Security & Data Privacy

Loan Workout

Class Action Litigation Practice

Areas of Emphasis

Commercial Litigation

Securities Litigation

Products Liability

Overview

Michael P. O'Mullan is a partner in the Firm's Commercial Litigation Group, where he helps clients navigate a wide range of complex business and commercial disputes. He is a focused litigator who doesn't lose sight of practical solutions that meet clients' needs.

For more than two decades, Mike has represented clients in the state and federal courts of New Jersey, New York and across the country, including



Partner

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in class actions and coordinated multidistrict litigation. He also has experience in alternative dispute resolution, including arbitration and mediation.

Mike concentrates his litigation practice on business and commercial disputes, with an emphasis on financial services and securities litigation, products liability actions, insurance matters, business litigation and consumer claims. He often collaborates with attorneys in other practice areas within the Firm and acts as New Jersey counsel for out-of-state attorneys and their clients.

Financial Services and Securities Law

Mike represents banks, brokerage firms, businesses and individuals in financial services and securities litigation, as well as loan workout and lending litigation.

Representative matters include:

- representing New Jersey banks in commercial loan workouts and foreclosure proceedings
- conducting internal investigations, regulatory inquiries and Financial Industry Regulatory Authority (FINRA) arbitrations for brokerage firms
- acting as New Jersey counsel to businesses and their officers and directors in securities class actions
- representing New Jersey pension funds in a national multidistrict litigation
- representing individuals in regulatory inquiries and enforcement actions brought by the United States Securities Exchange Commission (SEC) and other regulators

Products Liability Litigation

Mike represents medical device companies, manufacturers and related parties in products liability actions in federal and state courts, including in New Jersey's MultiCounty Litigation (MCL) courts and federal multidistrict litigation.

Representative matters include:

- representing consumer products company in class action relating to alleged product defects
- representing medical device companies in New Jersey MCL courts and nationwide litigation
- acting as monitoring counsel for insurance company in connection with products liability matters arising from train derailment

Insurance Matters

Mike represents insurance companies, reinsurance companies and related parties in claims investigations, insurance coverage matters and litigation involving a wide range of matters.

Representative matters include:

- conducting claim investigations and coverage matters arising from cyber losses
- representing domestic insurance company in fire and storm losses
- representing insureds in professional liability matters

Business Disputes, Consumer Fraud Claims and Data Privacy

Mike represents businesses, business owners, corporate officers and directors, and others in a wide variety of business disputes including consumer fraud actions. He also has experience with claims relating to the duties of officers and directors, as well as data privacy and cyber breaches.

Representative matters include:

- representing retailer in connection with putative class action alleging consumer fraud and violations of New Jersey's Truth in Consumer Contract, Warranty and Notice Act (TCCWNA)
- acting as New Jersey counsel to corporate directors in putative derivative action
- representing owners of closely-held business in corporate disputes
- representing in-house counsel in lawsuit alleging breach of duty and fraud

- advising corporations in connection with data privacy and cyber breaches

Mike graduated *cum laude* from the Fordham University School of Law, where he was an Associate Editor of the *Fordham Law Review*. He is the author of *Seeking Consistency in Judicial Review of Securities Arbitration: An Analysis of the Manifest Disregard of the Law Standard*, 64 *Fordham L. Rev.* 1121 (1995). Before attending Fordham Law School, he graduated *magna cum laude* from Rutgers University. Mike spent the first five years of his career as a litigation associate at Cahill Gordon & Reindel in New York City.

He is a frequent speaker on civil discovery matters and cybersecurity issues including before the NJ ACCA, and has also been quoted numerous times on cyber breaches and liability issues. He has served as a volunteer leader of his children's Cub Scout program and as a member of the Long Hill Township Zoning Board of Adjustment. He recently served on the 2018 Relay for Life of Greater Morristown Leadership Committee.

Thomson Reuters included Mike on its Super Lawyers "Rising Star" list in 2008, 2010 and 2011. He was also named to the *New Jersey Law Journal's* "40 under 40" list in 2009, which recognizes high achievers and future leaders in the legal world. Mike is rated AV Preeminent® by Martindale-Hubbell® Peer Review Ratings™, the highest ranking available. See [Awards and Honors Methodology](#).

No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Education

Fordham University School of Law, J.D. *cum laude*, 1996

Rutgers University, B.S., *magna cum laude*, 1993

Bar Admissions

New Jersey

New York

United States District Court, District of New Jersey

United States District Court, Eastern District of New York

United States District Court, Southern District of New York

United States Court of Appeals, Second Circuit

United States Court of Appeals, Third Circuit

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