



**RIKER
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RIKER LINK

ALUMNI NEWS

SPRING 2017 ISSUE 01



ELAINE ROCHA

ALUMNI FOCUS

Elaine A. Rocha has come a long way since fondly serving, like many of us, on the Riker Danzig softball team. She was co-captain of the team that brought home Riker's second Lawyers League Championship title in 2006, which was forever memorialized in the *New Jersey Law Journal* with a picture of the championship team displaying their trophy.

Since leaving Riker for AIG in 2010, Elaine has swiftly advanced and is now serving as the Chief Operating Officer for AIG Investments based in New York City. In

that role, Elaine serves as the overall strategic partner for AIG's Chief Investment Officer and also leads the Global Operations team of over 120 employees in the U.S. and across the globe that is responsible for all aspects of processing and reconciling trades for all asset classes in AIG's portfolio. Elaine also is critical for implementing strategic initiatives both in the Investments group, and across AIG's various leadership teams. Prior to join-

ing Investments, Elaine served as Associate General Counsel and Vice President for several business units within the Commercial Insurance group of AIG.

Elaine credits Riker with helping to prepare her for the very demanding aspects of her current job. Prior to joining AIG, Elaine worked in Riker's insurance department for

more than five years, providing insurance coverage advice and handling complex insurance coverage litigation. One of the highlights in her Riker

career was trying an insurance coverage case for 6 weeks with Lance Kalik, on a case that she did not handle until several weeks before the trial. She remembers being asked to get up to speed on all aspects of the case very quickly. This was not unusual or unwelcome for her, as Elaine recalls that, while at Riker, she and other young attorneys were given the opportunity to take on tremendous responsibility and be independent. Elaine

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WELCOME!

We are excited to share this premiere edition of our Alumni newsletter, *Riker Link*. From information on our current practice groups to Firm news and events, it's an overview of our Firm and our people - past and present.

SAVE THE DATE

The Firm is excited to host our second CLE Presentation and Reception for Clients and Alumni on Thursday, May 11, 2017 at the Hyatt Regency in Morristown.

Featured Speakers and Riker Danzig Alumni are:

The Honorable Renee Bumb

U.S. District Court, District of New Jersey

John Farmer

Former Attorney General for the State of New Jersey

Former Rutgers Law School Dean

Special Counsel to the President of Rutgers University

Peter Harvey

Former Attorney General for the State of New Jersey

Partner, Patterson Belknap Webb & Tyler

The CLE presentation will run from 5:30 - 7:00 PM, and will offer 1.8 NJ live ethics credits and 1.5 NY live ethics credits. There will be a cocktail reception following from 7:00 - 9:00 PM. Discounted hotel accommodations are available at the Hyatt by emailing Alison Feldman Walsh at awalsh@riker.com.

FIRST RIKER DANZIG ALUMNI CLE AND RECEPTION

ALUMNI



Riker Danzig hosted its first Alumni CLE and Reception on October 27th at the Hyatt Regency Morristown. **Lance Kalik** moderated our panel of **Stuart Lederman, Jason Navarino, Za Quraishi** and **Bethany Abele**, who presented on "Hot Ethical Topics Faced by In-house Counsel" to an engaged room of attendees. All then enjoyed an evening of vibrant networking with current and former Riker Danzig attorneys over cocktails and dinner.

Following are the alumni who made this first event a big hit:

Sobande Afolabi	Neighborhood Health Services Corp.
Keith Barrack	Montclair State University
Matthew Bateman	AIG
Eric Blumenfeld	Hughes Hubbard & Reed
Marcella Bodner	Greenberg Traurig
Thomas Castano	Chubb
Carol Cespedes	JPMorgan Chase
Shari Chertoff-Wolk	Big V Properties
Andrew Contreras	NJ Supreme Court, District V-B Attorney Ethics Committee
Susan Curtin-Gouldin	Heimerl Law Firm
Nancy Eberhardt	Pro Bono Partnership/NJSBA Pro Bono
Sara Garvey	Chubb & Son
Bruce Harris	Borough of Chatham/ New Jersey Turnpike Authority
Francine Katz	Axiom Law
Christine LaRocca	
Sarah Monaghan	Dilts & Koester
Brian Moore	AT&T
Craig Moran	Stryker Orthopaedics
Jaime Morris	Verizon Wireless
Bryan Ng	ARA Insurance Services
David Niles	Fidelity National Law Group
Stephanie Panico	QBE North America
Mark Pasko	QBE North America
Joshua Pini	Wyndham Worldwide
Steven Plotkin	Noranda Aluminum Inc.
Elaine Rocha	AIG Investments
Thomas Sheridan	Mitsui Sumitomo Insurance Group
Jeff Siedsma	Carlson Siedsma LLP
Michael Starr	Law Office of Michael W. Starr, LLC
Patricia Sunar	Verizon Wireless
Keith Weingold	T-Mobile USA, Inc.

SIGNIFICANT NON-PROFIT MERGER

LUPUS RESEARCH ALLIANCE

The Firm has long been involved with the Alliance for Lupus Research. We serve as a premier sponsor of the ALR's "Walk With Us to Cure Lupus," hold numerous jeans day fundraising events, have attorneys and staff serve in leadership positions, and have provided other legal services.

RIKER DANZIG SERVES AS THE PREMIER SPONSOR OF THE ALR'S "WALK WITH US TO CURE LUPUS" EVENT, ON MAY 20TH THIS YEAR AT METLIFE STADIUM.

S.L.E. Lupus Foundation. The three legacy non-profit organizations merged to form the Lupus Research Alliance.

Partner **Tracy Green Landauer**, who is resident in Riker Danzig's New York office, and **Jason Navarino** led the Riker team, with **Robert Daleo**, **James Karas**,

Adam McInerney, **Joshua Greenfield**, **Nicole Figliolina**, **Michael LaTempa** and **Rachel Gillen**.

So it was not surprising that ALR turned to Riker Danzig to represent it in its merger with the Lupus Research Institute and the

M & A

ODYSSEY LOGISTICS & TECHNOLOGY DEAL

Our Corporate Group closed a major M&A deal for client Odyssey Logistics & Technology Corporation, a multi-billion dollar third party logistics provider in the U.S., Canada, Europe and the Far East. Odyssey acquired Linden Bulk Transportation, a top 25 tank motor carrier located in Linden, New Jersey as an expansion of its chemical industry logistics services. **Ron Leibman** and **Jason Navarino** led a large multi-disciplinary team to complete the deal, which included corporate attorneys **Linda Prentiss**, **Nicole**

Figliolina and **Michael LaTempa**. Working with them were: **Jeff Wagenbach** and **Michael Kettler** for environmental issues, **Nick Racioppi** and **Joshua Greenfield** with real estate expertise, **Bob Daleo** for New Jersey state tax compliance, **Bob Frucht** for antitrust issues, **Jim Karas** with employee benefits expertise, **Mary Kay Roberts** for governmental affairs support, and **Bob Schoenberg** and **Joshua Jacobs** with intellectual property counsel.

RIKER DANZIG REPRESENTATION OF PRISONERS

Riker Danzig was recently appointed by the U.S. District Court of New Jersey to represent prisoners on a pro bono basis in §1983 prisoner's civil rights cases. The first matter was before U.S. District Court Judge William J. Martini and recently resolved by settlement.

The second involved a former prisoner in his civil right claims against a number of governmental entities and the healthcare provider hired to administer care in their prisons. The matter was settled to the plaintiff's satisfaction.

CORPORATE NEWS AND HONORS

Corporate and Tax Partner **Jason Navarino** was selected as one of *NJBIZ*'s Forty Under 40 winners. Nominees came from all industries across the state. The Forty Under 40 awards program celebrates the state's most accomplished young businessmen and women who have been making headlines in their field and who share a commitment to business growth, professional excellence and to the community. Jason and the 39 other winners were honored during an awards reception and ceremony in September, and he was featured in an *NJBIZ* issue that highlighted each honoree. See *Awards and Honors Methodology* information on page 10.

Jason was elected 2nd Vice Chair of the New Jersey State Bar Association's Taxation Law Section at the 2016 NJSBA Annual Convention.

Jason was also named Chair of the International Taxation Committee of the New Jersey State Bar Association's Taxation Law Section. Jason's committee will consider key issues and developments under U.S. federal tax law with respect to cross-border activities.



MAJOR SETTLEMENT WITH MIDDLESEX COUNTY UTILITIES AUTHORITY

NEARLY 10 YEARS OF LITIGATION AND OVER TWO MONTHS OF TRIAL



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Partner **Marc D'Angiolillo** successfully concluded a massive litigation involving our client Spectraserv. We represented the winning bidder for a Construction Contract. Although the MCUA knew that, according to

the contract, Spectraserv had no responsibility for the design performance, it engaged in a lengthy, corrupt, fraudulent conspiracy to attempt to hold Spectraserv responsible for the design of a system that it knew to be incomplete and defective.

This case brought to light the role of political contributions, family favors, falsifying documents, destruction of evidence and convoluted cover-ups with the MCUA. The MCUA had asserted a \$35+ million construction defect/delay claim against Spectraserv, while

Spectraserv sought recovery of monies due it. Following Marc's persuasive opening and presentation of several witnesses, the MCUA agreed to a settlement pursuant to which Spectraserv recovered \$10 million dollars and the MCUA's claim was dismissed, with prejudice.

Working with **Marc** on the Spectraserv team were **Stephanie Edelson, Ron Ahrens, Jon Sandler, Glenn Curving, Marcia Miller Wefelmeier, Melissa Salsano, Kellen Murphy** and **Jerry Liloia**.

SUPREME COURT WIN

Riker secured a victory in the Supreme Court of New Jersey in Rosenthal & Rosenthal, Inc. v. Benun and Riker Danzig. The Supreme Court ruled that a mortgage recorded by Riker Danzig had priority over discretionary loan advances made by a lender, Rosenthal & Rosenthal, Inc., after it learned of Riker's mortgage, even though those advances were secured by two mortgages recorded before Riker's mortgage and against the same property. Initially, the trial court had granted priority to Rosenthal's two earlier-recorded mortgages.

Matt Lewis argued our case before the Supreme Court, and defended our interests along with **Jerry Liloia** and **Nick Racioppi** throughout this lengthy case. Additional support was provided by **Mark Rattner** and **Josh Greenfield**.

THIRD CIRCUIT PRECEDENTIAL DECISION

Mike O'Donnell and **Derrick Freijomil** secured a precedential arbitration decision in favor of our client Fidelity National Financial after arguing before the U.S. Court of Appeals for the Third Circuit in a putative class action. In Chassen, et al. v. Fidelity National Financial, Inc., et al., plaintiffs sought to recover hundreds of millions of dollars in claimed damages on behalf of the alleged class. The U.S. Supreme Court issued the Concepcion decision, allowing Fidelity National and the other defendants to seek to compel plaintiffs to arbitrate their claims individually rather than as a class. Shortly after that decision, Fidelity National and the other defendants filed motions compelling plaintiffs to individually arbitrate their claims. The District Court ultimately granted Fidelity National's motion, but certified the issues for interlocutory appeal to the Third Circuit. Mike argued Fidelity National's case before the Third Circuit, which affirmed the District Court's order compelling individual arbitration under the title insurance policies.

The Third Circuit found that Fidelity National and the other defendants could not be penalized for failing to pursue a right that did not exist under New Jersey law and that, since they had sought individual arbitration shortly

after Concepcion had been decided and no prejudice had resulted therefrom, they had not waived their right to compel individual arbitration. The Third Circuit also held that the right to compel individual arbitration is separate and distinct from the right to compel class arbitration such that each can be waived, or not, separately.

Jonathan Sandler and **Judge Ashrafi** worked with **Mike** and **Derrick** on the case, along with **Bethany Abele, Jorge Sanchez, Mike Crowley, Mike LaTempa, Ron Ahrens, Tom Kenny, and John Kessler**.

JURY TRIAL WIN

Following a two-week trial in the Superior Court, Camden Vicinage, a seven-member jury returned a no-cause defense verdict in favor of Firm client Continental Motors, Inc. The dispute arose from the installation of alleged defective aircraft engine parts. Plaintiffs had demanded a new engine, consequential damages and attorneys' fees on the legal theories of breach of express warranty, breach of contract and consumer fraud. Partner **Frank Vitolo** tried the case for Continental Motors with his team of **Amy Redner, Tom Kenny** and **Kate Farley**.

IP LITIGATION WIN

After five years of litigation against SNL Financial LC, an A.M. Best competitor based in Charlottesville, Virginia, a settlement was achieved. While the settlement amount is confidential, SNL and its new parent company, S&P Global, publicly acknowledged the copyrightability and intellectual property value of A.M. Best's credit ratings, the issue at the heart of A.M. Best's claim for copyright infringement against SNL. S&P Global will enter into a subscription-based licensing

RIKER DANZIG'S IP LITIGATION TEAM SECURES FAVORABLE RESULT FOR ITS LONG- TIME CLIENT A.M. BEST COMPANY

agreement with A.M. Best for use of its proprietary content.

Partner **Bob Schoenberg** led the Riker Danzig team, which included attorneys **Stephanie Wolfe**, **Josh Jacobs** and **Danielle Rubin**, with additional support from **Tara Schellhorn**, **Rudy Randazzo** and **Kate**

Farley. Law firm Kirkland & Ellis assisted on legal issues and briefs.

LITIGATION GROUP NEWS AND HONORS

Frank Vitolo was elected to serve as Chairman of the Morristown Partnership. The Morristown Partnership is responsible for the economic and community development in the town's central business district, representing the interests of over 1,000 businesses.

Commercial Litigation Partner **Bethany Abele** was named a "New Leader of the Bar" by the *New Jersey Law Journal*. See *Awards and Honors Methodology information on page 10*.

Josh Jacobs was elected Chair of the Jersey City Zoning Board of Adjustment.

CYBERSECURITY



Jon Vuotto, **Jerry Liloia** and **Josh Jacobs** defeated a motion to dismiss filed by our client's insurance carrier in ABL Title Ins. Agency v. Maxum Indemnity Co., in the District Court of New Jersey. Judge Cecchi, U.S.D.J., denied defendant's motion because she was unconvinced that our client's loss fell into an exclusion to its insurance policy. The case involves unsettled and novel issues of insurance coverage in the area of cybersecurity. More importantly, the case is critical to our client in recovering after a devastating loss resulting from the breach in cybersecurity and subsequent actions.

RIKER DANZIG HONORS

Chambers and Partners recognized a number of Riker Danzig's practice groups with top honors in its 2016 edition of *Chambers USA: America's Leading Lawyers for Business*. Our Environmental practice again earned a Band 1 ranking, while our Bankruptcy & Reorganization, Commercial Litigation, Employment, Insurance Litigation, and Real Estate Practices were also awarded top rankings in New Jersey. On a national level, Ronald Leibman was recognized for his Transportation/Logistics practice. 16 Riker Danzig attorneys were distinguished in the 2016 *Chambers USA* edition.

Six of our attorneys have been named by Best Lawyers as 2016 "Lawyers of the Year" for the Newark region. 30 attorneys received the Best Lawyers recognition.

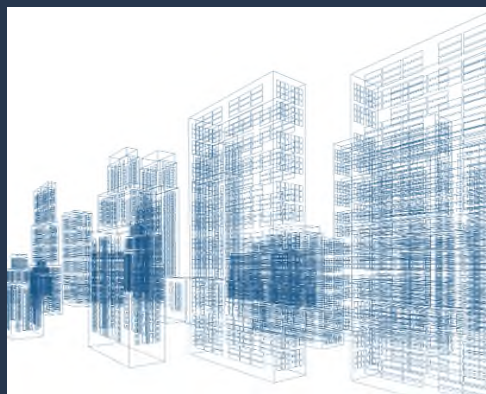
Riker Danzig received a "Best Practice" award from the Commerce & Industry Association of New Jersey at its 3rd Annual Best Practice Conference. The Best Practice Awards were given to business leaders selected by a blue-ribbon panel of judges assembled by CIANJ. See *Awards and Honors Methodology information on page 10*.

SECURITIES ARBITRATION

The Firm's UBS Team won a complete victory with full expungement in a securities arbitration for UBS and one of its top advisors. The claimant, an 81 year old retiree, had invested approximately \$1 million in agency bonds in connection with the sale of his business under I.R.C. Section 1042 and as part of an interest rate arbitrage strategy against his \$3 million securities-backed loans. Soon after

they were purchased, the bonds experienced volatility and claimant, fearing for his loan obligations, sold them at a loss. Following an evidentiary hearing in St. Louis, a three-member FINRA panel issued a "no-cause" arbitration award and affirmatively directed that the claim should be expunged from the advisor's record (which is rare and essentially means the claim was proven to be false).

MAJOR COMMERCIAL REAL ESTATE DEAL



Riker Danzig's Real Estate Group assisted in the \$183.37 million sale of a 1,224-unit New Jersey apartment complex for client AIG Global Real Estate Investment Corp. The property, with 107 residential buildings on over 150 acres, is located in Flanders, New Jersey. **Nick Racioppi** led the team of **James Maggio** and **Linda Herlihy**.

CREATIVE REAL ESTATE TRANSACTION

RIKER DANZIG'S REAL ESTATE GROUP REPRESENTS LINCOLN EQUITIES GROUP IN 5 GIRALDA FARMS DEVELOPMENT

Riker Danzig's Real Estate Practice represented Lincoln Equities Group in its contract for the development of 5 Giralda Farms. The site was part of a larger development designed to be extremely low impact/density and was subject to restrictive parking regulations, making it difficult for Lincoln Equities to find a tenant. **Cathy Giuliana**,

THE TRANSACTION INVOLVED OVER \$58 MILLION IN STATE INCENTIVES FOR ALLERGAN.

Nick Racioppi and **Linda Herlihy** worked closely with municipal officials to show the tremendous fiscal impacts of Allergen Sales as a prospective tenant and to amend zoning regulations to allow for a parking garage with low impact design standards that would preserve the integrity and unique history of the complex.

COMMERCIAL REAL ESTATE LEASING

Riker Danzig's Real Estate Group has developed an interesting niche in the New York social media/high tech/emerging companies space. We've worked with many of these start-ups and growing young companies to negotiate their first or expanded office contracts in Manhattan and across the coun-

try, including BuzzFeed, Blue Apron, Moat, Tapad, Namely, and many more.



ENVIRONMENTAL

SUPERFUND DEFENSE PAYS OFF



Our Environmental Group successfully defended New Jersey-based G&S Motor Equipment Co. in a large multi-party case in

federal court in North Carolina. Plaintiffs had alleged G&S carried the single largest share, roughly 10%, of an \$80 million cleanup of the Ward Transformer site in Raleigh, due to transactions between our client and the Ward companies dating from the 1960s. Once the hundreds of defendants were separated into categories, we organized a similarly-situated group of defendants from our category, and the Court appointed **Jeff Wagenbach** Liaison Counsel for the group. We, along with other

groups of defendants, pressed for test cases leading to summary judgment motions, and the motion for our category was successful, and was ultimately affirmed in the 4th Circuit.

Jeff Wagenbach and **Laurie Sands** led the effort for Riker's Client, with able assistance from **Jaan Haus**, **Matt Karmel** and others along the way.

UNANIMOUS JURY VERDICT



Riker represented American Polymers Corporation, a recycled plastics broker, in a dispute arising from its 2008 sale of recycled resin which ultimately involved five consolidated lawsuits. The case that was eventually tried involved the client's alleged breach of express and implied warranties under the Uniform Commercial Code from the sale of the recycled plastic resin to a plastic pipe manufacturing company.

Plaintiff Central Irrigation Supply, Inc. alleged that deficiencies in the resin caused an underground irrigation pipe to fail, and sought more than \$6 million.

Leading up to the trial, **Tony Zarillo** and his team were successful in barring a large part of plaintiff's key evidence. At trial, the team provided evidence that it was the pipe manufacturing process, and not any deficiencies in the resin, which led to the pipe failures. The trial lasted for more than a month, with the jury rendering a unanimous defense verdict after less than two hours of deliberations. **Tony, Jason Gratt and Jeff Beer** relied on the legal support of **Judges Ashrafi and Rothschild and Josh Carmel**.

PRODUCTS LIABILITY

Riker Danzig serves as New Jersey counsel and trial counsel to Johnson & Johnson in its Gynecare pelvic mesh Multi-County Litigation in New Jersey and in federal Multi-District Litigation, coordinated across the United States. Our products liability team, led by **Kelly Crawford**, has handled the discovery, dispositive motion practice and Daubert motion practice for five waves of cases in the Multi-District Litigation at the trial level. Kelly serves as defense liaison counsel for the New Jersey MCL and coordinates the discovery and trial preparation for the New Jersey bellwether trial cases. The team also has been heavily involved in the appellate practice arising from the New Jersey MCL.

GROUP NEWS AND HONORS

WHITE COLLAR CRIMINAL DEFENSE

White Collar Criminal Group Partner **Za Quraishi** was elected a Trustee of the Association of the Federal Bar of New Jersey. Za joins **Kelly Crawford**, who also serves on the Board of Trustees. The AFBNJ is the voice of the federal bar in New Jersey, with distinguished judges, attorneys from the private bar, and federal law enforcement attorneys as members. The trustees play an important role in planning AFBNJ events and conferences, as well as encouraging positive relationships between federal judges and the attorneys who appear before them, given the massive expansion of federal civil and criminal litigation.

Za was also elected a member of the Executive Committee of the C. Willard Heckel American Inn of Court at Rutgers School of Law. The Inn meets six times a

year at Rutgers School of Law in Newark and focuses on criminal practice and procedure and litigation skills in both criminal and civil litigation.

ALTERNATIVE DISPUTE RESOLUTION

Justice Stewart Pollock was named by Best Lawyers as the 2017 Energy Law "Lawyer of the Year" for the Newark region. Only a single lawyer in each practice area in each community is honored as the "Lawyer of the Year." Those selected received particularly high ratings from their peers, and have earned a high level of respect among other leading lawyers for their abilities, their professionalism, and their integrity. *See Awards and Honors Methodology information on page 10.*

GOVERNMENTAL AFFAIRS

Mary Kay Roberts has been included on State Senator Loretta Weinberg's Women's Power List for 2016. Senator Weinberg first started this list of influential women in 2012 and it continues to grow each year. Mary Kay's practice is closely focused on the complex world of government affairs. The list is published by *PolitickerNJ*.





**RIKER DANZIG
NEWPORT 10K
MAY 6TH
8:30AM**

The Firm is proud to once again be the title sponsor of the Newport 10,000 on the Jersey City Hudson River waterfront. This popular 10K (6.2 mile) run attracted more than 1,800 recreational and professional runners in 2016. The Riker Danzig Newport 10K is on a USATF-certified course, described as “flat and fast,” weaving through Jersey City

TAX EXEMPTION FOR ARTS NON-PROFIT

John Pellecchia and **Scott Collins** successfully litigated a claim for exemption from real property taxation on behalf of The Shakespeare Theatre of New Jersey (“STNJ”). The subject property is a new headquarters facility in Florham Park that is used by STNJ for rehearsal space, costume and set fabrication and storage and administrative offices in support of performances. The Executive Committee of STNJ was extremely appreciative of John and Scott’s

work, noting in an eloquent thank you letter that the “triumphant resolution” to this case will have a “positive ripple effect for the thousands and thousands of people whose lives are impacted and made better by the Theatre’s existence and good health.” The Board noted Scott’s “heroic efforts,” describing him as “our noble champion,” and commended John’s “good counsel” in the “long, hard-fought battle.”

NON-PROFIT

CIVIL RIGHTS

UNCONSTITUTIONAL TAKING CLAIM DISMISSED

Sam Moulthrop, **Stephanie Wolfe**, **Ryan O’Neill**, and **Cristin Boyle** obtained the dismissal of a civil rights complaint brought by a property owner against the Union City Board of Education and its School Business Administrator. The lawsuit followed the Board’s 2014 decision to purchase the mortgage note on premises it had leased from plaintiff since 2007 after plaintiff had defaulted on its mortgage and the premises became the subject of foreclosure proceedings in New Jersey State Court. The complaint alleged

an unconstitutional taking under federal law and State law claims for breach of contract and interference with prospective business relations. Riker simultaneously answered the complaint and moved for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c), convincing the District Court (Cecchi, U.S.D.J.) that plaintiff’s takings claim was not ripe for adjudication and the Court should not exercise supplemental jurisdiction over plaintiff’s State law claims.

brownstones and finishing at Newport along the Hudson County Waterfront Walkway with spectacular views of the New York skyline. Newport, a longtime client of the firm, is a 600-acre waterfront “live, work, shop and dine” community situated opposite lower Manhattan.

For information on joining the Riker running team, contact Richelle Delavan at rdelavan@riker.com.

For more information on the race itself, please go to www.newport10k.com.

DECLARATORY JUDGMENT HARLEYSVILLE PREFERRED INSURANCE COMPANY

The Firm represented Harleysville in a declaratory judgment action in the SDNY arising out of a fatal underlying accident in which an employee of Harleysville's named insured Hellman Electric Corporation ("Hellman") was crushed by a 2,760 pound battery cabinet that fell off the back of a delivery truck as it was being unloaded at a construction site. At the time of the accident, the individuals involved in the delivery were using a pallet jack to move the battery cabi-

net. Plaintiff, Employers Insurance Company of Wausau ("Wausau"), which issued a commercial general liability policy to Hellman sued Harleysville, which had issued a business auto policy to Hellman, seeking a declaration that Harleysville owed a coverage for the underlying bodily injury case. We successfully argued on a motion for summary judgment that due to the use of the pallet jack, the mechanical device exclusion in the Harleysville Policy precluded coverage.

RIKER DANZIG ELECTS NEW PARTNERS

Effective January 1, Riker Danzig elected to partner:

Diana Katz Gerstel

Products Liability

Michael (Mick) J. Rossignol

Insurance Coverage, Insurance
Defense and Litigation

Appointed to Counsel were:

Maura C. Smith

Insurance and Reinsurance

Joshua M. Greenfield

Commercial Real Estate

Allen J. Sczafabo, Jr.

Family Law

Margriet A. Schaberg

Insurance Coverage and Litigation

Tara J. Schellhorn

Bankruptcy and Reorganization

INSURANCE LITIGATION AND MEDIATION

A formidable litigation team led by **Glenn Curving**, **Peter Perkowski**, and **Curtis Plaza**, with terrific assistance from **Tara Schellhorn**, **Rachel Gillen**, **Lance Kalik**, **Anne Mohan**, **Tom Kenny**, **Matt Lewis** and many others, prevailed on substantial insurance coverage litigation summary judgment determinations in front of Judge Rachelle Harz (Law Division, Bergen County). The

decision set up a tremendously successful mediation result before Judge Peter Doyne (ret.), where Riker's team obtained insurance payments for our client of \$1.5 million (with only \$1 million insurance available from the primary policy) as a plaintiff in a professional malpractice action resulting from a failed medical arts building development project in Bergen County.

RIKER DANZIG EARNS TOP-TIER RANKINGS

Riker Danzig received a national ranking for our **Land Use and Zoning Law** practice, and 20 First-Tier rankings among Metropolitan New Jersey Law practices, in the 2017 *U.S. News & World Report*—Best Lawyers rankings of "Best Law Firms."

The rankings are based on surveys of nearly 9,000 lawyers and more than 9,500 clients throughout the U.S. Respondents were asked about a firm's expertise, responsiveness, cost-effectiveness and civility, and about whether they would refer others to the firm. See *Awards and Honors Methodology information on page 10*.

Riker Danzig was successful in defeating an attempt by the New York Housing Authority ("NYCHA") to compel our client G-I Holdings, Inc. ("G-I") to remove asbestos containing material from NYCHA's buildings in New York City. NYCHA had originally filed a proof of claim against G-I as the successor to a manufacturer of building materials which included asbestos-containing tiles that NYCHA had purchased and installed in its buildings over a thirty year period, asserting \$500M in property damages.

NYCHA sought to recast its property damage claim as a claim for restitution and filed

a complaint for an injunction to compel G-I to remove the asbestos-containing material from its buildings. The bankruptcy court dismissed the complaint holding that the claim for restitution was merely a repackaging of its property damage claim to avoid the bankruptcy court's prior ruling that NYCHA's property damage claims were discharged.

The Third Circuit and the U.S. District Court affirmed the decision. Our successful team was comprised of **Dennis O'Grady**, former partner **Mark Hall**, **Alexa Richman-La Londe** and **Rachel Gillen**.

NEWS AND HONORS

Tara Schellhorn was elected Director at Large for the International Women's Insolvency and Restructuring Confederation (IWIRC). IWIRC is dedicated to promoting women in the insolvency and restructuring community

worldwide. Tara has also been appointed the Vice Director of Regional Programming. She is currently the co-chair of IWIRC-NJ, a local network of the international organization.

AWARDS AND HONORS METHODOLOGY

For a description of the standard or methodology on which each award or honor mentioned in this newsletter is based, please go to www.riker.com/awards-and-honors-methodology

for links to each of the publications and organizations which have included Riker Danzig in their rankings or awards.

*Elaine Rocha, Alumni Focus
Continued from cover*

believes that the training at Riker helped to instill in her the confidence to now tackle difficult challenges in areas where she has little experience.

Elaine reports that some of her fondest memories at Riker are playing softball, the first "Riker Idol" at the annual holiday party, and collaborating with some "really smart" lawyers. In addition to staying close with many friends at Riker, Elaine keeps close ties with her alma maters Seton Hall Law and The College of New Jersey. Elaine was the President of the Law School Alumni Council in 2015-2016, where she has served as a member for over 15 years. She is currently on the Executive Committee of the Council

and a new member of the Law School Board of Visitors, an advisory group made up of prominent members from the public and private sector. In 2016, she was awarded the Law School Service Award at the University's "Many Are One" Gala. She also serves as an Alumni Association Board Member for The College of New Jersey.

In her free time, Elaine enjoys distance running, including half and full marathons, skiing, the beach, taking drum lessons, Bruce Springsteen concerts, and shoe shopping. She is still a sports enthusiast, and an avid fan of the New York Giants and the New York Yankees.

BANKING, TITLE INSURANCE AND REAL ESTATE LITIGATION BLOG

Visit www.riker.com/blog/banking-title-insurance-real-estate-litigation, which is updated regularly and contains a wealth of information regarding the most recent decisions, cases, and news pertaining to title insurance, banking litigation, and real estate litigation.

ENVIRONMENTAL LAW BLOG

Visit www.riker.com/blog/environmental-law to keep informed about the ever-evolving issues of environmental law.

FAMILY LAW BLOG

Visit www.riker.com/blog/family-law for insights about developments in the family law area.



In June 2016, Elaine was awarded the Seton Hall University Law School Service Award at the University's "Many Are One" Gala.