



MARC D'ANGIOLILLO

Practice Areas

Construction Law

Litigation

Class Action Litigation Practice

Areas of Emphasis

Commercial Litigation

Construction Law

Estate Litigation

Class Action Litigation

Trade Secrets and Unfair Competition

Land Use

Overview

A partner in Riker Danzig's Commercial Litigation Group, Marc D'Angiolillo has considerable experience in complex commercial litigation through trial and the appellate level.

Known for his skill in complex multi-party litigation, Marc has handled numerous large construction defect actions. In 2016, he concluded a massive construction defect and fraud litigation for client Spectraserv Inc., a South Kearny based wastewater contractor, securing a \$10 million dollar settlement from the Middlesex County Utilities Authority. The lawsuit was



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brought against the MCUA in 2007 after Spectraserv had been retained to construct modifications to the MCUA's sludge processing facility in Sayreville, New Jersey. Spectraserv alleged that the MCUA and design engineer R3M Engineering knowingly advertised plans and specifications for public bid that they knew to be defective and incomplete in order to secure an over \$35 million loan from the Infrastructure Trust Fund of the New Jersey Department of Environmental Protection. Spectraserv further alleged that the MCUA and R3M attempted to cover up defects, deficiencies and dangerous conditions in the design of the process, and improperly impute responsibility for the design and performance of the process equipment to Spectraserv. During the course of the litigation, following a 14 day hearing, the court found that R3M had destroyed electronic evidence, and imposed spoliation and monetary sanctions against R3M. After 10 years of litigation and 2 ½ months of trial, Marc negotiated a \$10 million dollar settlement from the MCUA and R3M in favor of Spectraserv.

In June of 2019, Marc secured a verdict of no cause of action against Newark Public Schools in a multi-million dollar Conscientious Employee Protection Act ("CEPA") whistleblower action brought by a former teacher. The Plaintiff, a former University High School teacher, claimed that her dismissal was in retaliation for complaining to the Assistant Superintendent that the school administration's adjustment of her students' grades was unlawful, and sought back pay, future losses, attorney fees and punitive damages. After a three week trial, the jury deliberated for less than two hours before returning a verdict of no cause of action against the Newark Public Schools.

In March of 2020, Marc led a Riker team in a five-day bench trial in Federal District Court, prevailing on claims of breach of the implied covenant of good faith and fair dealing and fraud against a client's former business partner in connection with the sale of a lace manufacturing business in China. In a thirty-five page (35) page opinion, the Court found that Marc credibly presented evidence that demonstrated deceptive conduct in connection with the sale of the Chinese lace factory, and entered a judgment of over \$2,700,000 in favor of our client.

Marc also successfully represented the Hertz Corporation in connection with the collapse of its massive multi-story parking garage at Newark Liberty International Airport. In addition, he recovered over \$1.2 million for the West Morris Regional High School District Board of Education in a construction defect action.

Marc successfully represented the co-executor of an over \$25 million estate in a highly publicized estate litigation. In the aftermath of the unsolved murder of the testator, a prominent real estate developer, Marc effected the removal of a co-executor who was himself a suspect in the murder. He also recovered over \$1 million which had been misappropriated from the estate by the co-executor.

In another closely watched case involving a \$198 million development proposal, Marc successfully represented the Borough of Sayreville at trial and through appeal against a developer's challenge to the Borough's amended zoning ordinance.

Marc successfully represented United Steel & Wire Company in a high profile massive toxic tort class action in Camden County. There, plaintiffs sought to certify a medical monitoring class of every person who used or consumed Camden drinking water for a period of 180 days or more between 1974 and 1998. Marc served as one of the lead defense attorneys who successfully opposed class certification and obtained the dismissal of the underlying action on statute of limitations grounds.

Marc also successfully represented a Bedminster property owner in three

high profile matters against Trump National Golf Club and Donald Trump.

In one of the first known “meta-tagging” cases in the United States, Marc successfully pursued trademark infringement and unfair competition claims for a national window retailer. Our client’s competitor had inserted our client’s trademarked name in their website meta tags, creating consumer confusion. Marc’s successful result helped bring to the forefront the issues involved in misusing meta tags to unfairly stifle competition.

Marc was a judicial intern to U.S. District Judge Alfred M. Wolin in the District of New Jersey. He was the first recipient of the Joseph P. Miele Scholarship at Seton Hall University School of Law. He is also the Vice-Chairman of the Partnership for a Drug Free New Jersey.

Best Lawyers in America®, a peer review of U.S. lawyers, included Marc on its Best Lawyers list in the field of Commercial Litigation for 2022 and 2021. See [Awards and Honors Methodology](#).

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

Education

Seton Hall University School of Law, J.D., 1994

Rutgers University, B.A. High Honors, Phi Alpha Theta, 1990

Bar Admissions

New Jersey

New York

United States District Court, District of New Jersey

United States District Court, Northern District of New York

United States District Court, Eastern District of New York

United States District Court, Southern District of New York

Professional Activities

Vice-Chairman, Partnership for a Drug Free New Jersey.

Former Trustee, Joseph P. Miele Scholarship, Seton Hall University School of Law

Inaugural member, Joseph and Elda Coccia Institute for the Italian Experience in America

Member, Cambridge Who's Who of Construction Lawyers