



Claudia A. Costa

PARTNER

New York

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RELATED SERVICES

- Employment
- Commercial Litigation
- Transportation
- Professional Liability Defense
- Trucking

OFFICES

- New York
- Livingston

OVERVIEW

Claudia A. Costa is a national partner in the New York and New Jersey offices of GRSM and a member of the Employment Law, Professional Liability Defense and Commercial Litigation practice groups. Her practice focuses on the defense of private and publicly held corporations in all aspects of employment-related matters.

In her professional liability defense practice, Claudia defends lawyers, accountants, architects and insurance brokers/agents in professional malpractice suits brought against them. She also skillfully defends municipalities and townships in civil rights and municipal liability claims.

Claudia's experience spans a range of other practice areas across the professional liability spectrum including representing private and charter schools in school leaders' liability matters. She has served as general counsel for cases involving student expulsion, pregnancy, special accommodations and allergies, course removal, and the defense of wrongful termination and discrimination claims. She is also

called upon to provide advice with regard to the disciplinary action of teachers and students, protocols for handling parents, and drafting of institutional handbooks.

As a commercial litigator, Claudia has represented both publicly and privately held corporations in many aspects of their business litigation, including representing members of boards of directors in class action suits and shareholder derivative lawsuits, and she has represented clients in SEC investigations. Claudia is also frequently called upon to represent the Board of Directors of Homeowner's Associations. Claudia also regularly defends whistleblower (Qui Tam/False Claim Act) actions in federal and state courts.

Claudia holds a CLM premium membership and is an active member of the Defense Research Institute, where she has served as one of the marketing chairs of the Professional Liability Section since 2013. Claudia is on the New Jersey Executive Board for CLM.

Claudia is also the associate editor of *Legal Malpractice Law Review* which provides summaries of recent decisions across the country in the area of legal malpractice. She is joined on this website by many noted attorneys in the area of legal malpractice and ethics.

In 1989, Claudia obtained her juris doctor from the Fordham University School of Law where she served as editor of the moot court board. She also served as a legal research assistant for Professor Daniel Capra. During this time, Claudia was a legal intern for the Honorable H. Lee Sarokin in the District Court of New Jersey, and she also worked in the U.S. Attorney's Office for the Southern District of New York in the Securities and Commodities Fraud Unit.

Claudia is bilingual and is able to assist clients in both English and Spanish. She regularly conducts anti-harassment training in both languages.

REPRESENTATIVE EXPERIENCE

Representative Matters

- Obtained dismissal and award of attorney's fees and costs in action defending Homeowner's Association.
- Obtained a dismissal with prejudice in a wrongful termination action against a worldwide hotel chain and its management company. The plaintiff's original \$500,000 claim for alleged retaliation for the filing of repeated workers' compensation claims and for disability discrimination settled for \$1,000.
- Obtained jury verdict in favor of the defense in legal malpractice action against law firm and attorney involving the leasing of a commercial facility and the sale of a fitness business and equipment.
- Claims of violations of Civil Rights against a New Jersey Municipality and its officers summarily dismissed.

- Entire lawsuit against New Jersey beach town and its officers for Civil Rights violations summarily dismissed.
- Obtained immediate dismissal of claims against New Jersey charter school for breach of contract and violations of public policy concerning termination of teacher.
- Dismissal of claims of violations of public policy; breach of contract and punitive damages asserted against a multi-state environmental remediation firm.
- Successfully prevented the individual owners of New York and New Jersey hotels and restaurants from being sued for pregnancy discrimination and violations of the Family Leave Act.

PUBLICATIONS

- Triple Threat to Employers: Wellness Programs, Background Checks and Employee Pregnancy Issues, *New Jersey Law Journal*, Employment & Immigration Law Supplement, August 17, 2015
- Applying Title IX to Sexual Assaults and Harassment in Schools, *New Jersey Law Journal*, April 6, 2015
- Ending Damaging Lawsuits, *Automotive Magazine*, Volume 32, Issue 20, March 20, 2013

Media Commentary

- Hospitality, retail employers urged to stay current on transgender law, *Business Insurance*, February 9, 2018
- Warning the Internet May Be hazardous to Employees, *PLUS Blog*, July 2017
- FCRA Suits Mounting, But SCOTUS Might Stem Surge," *New Jersey Law Journal*, October 16, 2015

PRESENTATIONS

- Speaker, *Sexual Torts: Defending Misconduct Claims/Litigation in Educational and Religious Institutions*, CLM National Conference, March 2018
- Speaker, *A Higher Education For All: Title IX, Title VII and the New Administration*, CLM National Conference, March 2018
- Speaker, *Transgender Employees and Customers—What Retailers Need to Know*, CLM Retail Restaurant & Hospitality Conference – Premier Session, February 2018
- Speaker, *The Evolving Legal Landscape for Transgender Individuals*, DRI Professional Liability Conference December 2017
- Speaker, *WARNING – The Internet May Be Hazardous to Employees*, PLUS International Conference, November 2017
- Speaker, *How to Avoid Relationships...the Attorney/Client Ones*. Presentation to Insurance Company Professional Liability Division, June 2017
- Speaker, *Employee and Third Party Claims: Accommodations for Transgender Citizens* CLM National Conference March 2017

- Speaker, *Interactive Discussion with EEOC Chair Victoria Lipnic on the eve of a New Administration*, PLUS International Conference, Nov 2016
- Speaker, *But, the By-Laws Say....Homeowner's Associations and the Rise in Disability Discrimination Claims*, CLM Management Liability Conference, June 2016
- Speaker, *Wellness Programs: The Statutory Maze of Regulation and the EEOC's Involvement*. EPLI, ExecuSummit, April 2016
- Speaker, *Are You Ready For Ms. Cox? Transgender individuals. and EPL issues facing employers.*, CLM National Conference, April 2016
- Speaker, *How to Approach Lesbian, Gay, Bisexual, Transgender (LGBT) and Same Sex Marriage Issues in Today's Workplace*, ACI National Conference on Employee Liability, January 2016
- Speaker, *Hot Trends in Nonprofit D & O*, DRI Professional Liability Conference, December 2015
- Speaker, *Not So Harmless, Not for Profits*, PLUS International Conference, October 2015
- Speaker, *Sexual Harassment and Assault: Educational Institutions, Private Employers, Title IX and Title VII*, EPLI ExecuSummit, September 29, 2015
- Speaker, *Indemnification Clauses and Additional Insured Provisions*, Presentation to International Insurance Carrier, July 2015
- Panelist with EEOC Commission Victoria Lipnic, *Background Checks, Criminal History Checks, and Credit Checks and Their Impact on EPLI*, ACI National Conference, March 2015
- Speaker, *The Tripartite Relationship*, ACI National Conference, August 2014
- Speaker, *Costs of a Higher Education: The Rise in Claims of Sexual Assault and Harassment on College Campuses*, CLM 2015 Professional Liability Conference, June 4, 2015
- Speaker, *Actions Against Schools for Bullying and Sexual Assaults*, PLUS Hartford, CT Chapter Seminar, May 28, 2015
- Speaker, *FLSA Suits Hit Record High in 2014 – Factors That Will Fuel the Continued Rise of FLSA Lawsuits in 2015*, EPLI ExecuSummit, October 1, 2014
- Speaker, *Social Media and Ethical Pitfalls for Attorneys*, Presentation to Insurance Carrier Claims Department, June 2014
- Speaker, *Social Media and Trials*, NYSBA Annual Conference January 2014

CREDENTIALS

Admissions

- New York
- New Jersey
- District of Columbia (inactive)
- Pennsylvania (inactive)
- U.S. District Court, Southern District of New York
- U.S. District Court, District of New Jersey

- U.S. Court of Appeals, Third Circuit

Memberships

- Claims & Litigation Management Alliance, Professional Liability Committee
- Defense Research Institute, Professional Liability Section
- Professional Liability Underwriting Society (PLUS)

Education

- J.D., Fordham University School of Law, 1989
 - Moot Court Board, Editor
 - Law Review: *Environmental Law Journal*, Editor
- B.A., English Lit./History, St. Peter's University, 1986
 - History Honor Society; Collegiate Coach

Honors

- Claims & Litigation Management Alliance

Languages

- Spanish