



Melissa J. Brown

PARTNER

South Jersey

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RELATED SERVICES

- Insurance
- Employment
- Product Liability
- Construction
- Construction Professionals
- Cyber, Privacy & Data Security
- Professional Liability Defense
- Healthcare
- Retail & Hospitality
- Casualty
- Long-Term Care

OFFICES

- South Jersey
- Philadelphia

OVERVIEW

Melissa Brown is the Managing Partner of the firm's South Jersey office. She is an experienced trial attorney who is admitted to practice in New Jersey and Pennsylvania Federal, State and Appellate Courts as well as the Supreme Court of the United States of America.

Melissa represents clients in complex claims across various industries including Healthcare and Professional Liability, Labor and Employment, Cyber Liability and Data Security, Environmental Claims and Toxic Tort, Municipal and Public Entity Liability, Premises Liability, Casualty and Dram Shop.

Melissa has significant class action litigation experience and is known for her meticulous defense of

these multi-million dollar claims. She regularly defends clients in Qui Tam actions. She has extensive experience defending medical professionals, medical entities and long-term care facilities in claims of malpractice, including wrongful birth matters. She defends medical professionals in complaints before the Medical Boards. She defends malpractice claims against professionals in the legal, financial, insurance, architecture, engineering and real estate industries.

She represents employers in labor and employment disputes arising from wrongful termination, discrimination and executive malfeasance. She handles negligence claims arising from hiring, training and security resulting in sexual misconduct. She represents corporations in environmental and toxic tort claims. She has experience defending corporations and individuals in cyber litigation and data security breaches. She also has extensive practice in dram shop liability and casualty. Melissa has represented clients before the Third Circuit and the New Jersey Supreme and Appellate Courts resulting in several published cases.

Melissa is widely known for an aggressive and strategic litigation strategy that has led to the dismissal of the claims against her clients prior to trial. Examples include, dismissal of a class action law suit filed against an employer for alleged violations of the New Jersey Wage Payment Law, complete dismissal of a class action lawsuit alleging multi-million dollar damages where a college moved to an online-only platform during the Covid-19 pandemic, dismissal of a qui tam claim arising from the payment of bills related to services for COVID-19 testing, dismissal of a class action lawsuit arising from care and treatment provided to residents at a long-term care facility, dismissal of a medical malpractice lawsuit against a rehabilitation facility wherein the Plaintiff suffered an acute kidney injury requiring lifetime dialysis where damages exposure exceeded \$1 million, voluntary dismissal following the filing of a summary judgment motion for podiatric malpractice claims against a surgical center, dismissal of claims against an oil distribution company for seepage into a lake where millions of dollars in remediation costs were claimed, voluntary dismissal of a busing following allegations of asbestos exposure, complete dismissal of wrongful death claims in opioid litigation arising from pharmaceutical malpractice claims, dismissal in a product liability case where multi-million in damages were alleged following a four alarm fire across multiple beach front homes, dismissal of legal malpractice claims arising from a dispute over the disbursement of a corporate airplane during divorce proceedings, and dismissal of an architect malpractice claim arising from the construction of a sports facility alleging hundreds of thousands of dollar in damages as well as an award of sanction fees against the plaintiffs in that case.

Prior to joining the firm, Melissa was a senior partner at a regional defense litigation firm where she worked for more than 15 years. She has been selected as a Super Lawyer Rising Star from 2013-2022. This is an award conferred by Super Lawyers who reports that this honor is bestowed on only 2.5% of attorneys in the State of New Jersey who are 40 years old or younger.

REPRESENTATIVE EXPERIENCE

Representative Experience

- *Stancil v. ACE USA*, 211 N.J. 276 (2012)(Workers' Compensation Act does not create common law remedy for willful failure to comply with Court orders).
- *Krampetz v. C&R Insurance*, A-2909-23 (2024)(Appellate Division overturned the trial court's denial of Summary Judgment in this broker malpractice claim, rejecting Plaintiff's attempts to assign damages from a consent judgment and expand bad faith case law, directing the trial court to dismiss the case with prejudice).
- *Molz v. Rochester*, A-3276-20 (2022)(Appellate Division overturned the trial court's denial of our Motion to Dismiss the legal malpractice claims against our client and directed the trial court to dismiss the case with prejudice).
- *Moreland v. Mercer County Improvement Authority*, A-1645-19 (2022)(Appellate Division affirmed grant of summary judgment to public entity on various Title 59 immunities in wrongful death case involving a toddler).
- *Dasaro v. Correct Care Solutions*, 19-1336 (2020)(Third Circuit affirmed grant of summary judgment to correctional medical entity and providers in deliberate indifference and medical negligence claims in wrongful death case).
- *Soto-Munuz v. Corizon, Inc.*, 665 Fed. Appx. 226 (3d Cir. 2016) (Third Circuit affirmed grant of summary judgment to correctional medical entity and provider in deliberate indifference case arising from Gastrointestinal care).
- *Formica v. Atlantic City Board of Education*, 2011 N.J. Super. Unpub. LEXIS 2091(2011)(App. Div. affirmed summary judgment on plaintiff's claims of retaliation and failure to accommodate under the LAD).
- *Wilson v. Correctional Medical Services*, 412 Fed. Appx. 424 (2010)(Third Circuit affirmed dismissal of correctional malpractice claims due to plaintiff's failure to exhaust administrative remedies).
- *Agostino v. Credit Collection Services*, 210 U.S. Dist. Lexis 135310 (2010)(Denial of FDCPA and RICO class certification).
- *Jones v. Complete Care*, MER-L-1151-24 (2024)(Dismissal of class action lawsuit arising from the New Jersey Wage Payment Law due to bar existing from the Federal labor law and Collective Bargaining Agreement)
- *Zovko v. Scarini & Hollenceck, LLC*, MID-L-002479-24 (2024)(Dismissal of all FDCA, CCPA and conspiracy claims against filed against a law firm representing clients on collections actions)
- *Block v. Earp Cohn*, CPM-L-289-23 (2024)(Motion to Dismiss granted on legal malpractice claims filed by a lawyer who served as the adversary to our clients)
- *Estate of Meyer v. WH Holdings*, WRN-L-93-22 (2024)(Motion to Dismiss granted in class action COVID-19 lawsuit against a long-term care provider where Plaintiff failed to serve an Affidavit of Merit identifying the providers and medical care that deviation from the standard of care)

- *Mercer v. NIP Group*, MER-L-897-23 (2024)(Motion to Dismiss granted for claims against an insurance producer pursuant to the entire controversy doctrine where the plaintiff failed to implead the producer in the underling legal action)
- *Erskine v. Alliance Care*, ESX-L-2637-23 (2024)(Motion to Dismiss granted to a healthcare facility on claims of negligence barred by the Workers' Compensation Act)
- *Chichizola v. David Sayles*, PAS-L-1886-19 (2022)(Summary judgment granted in favor of a broker for claims of malpractice arising from lapse in insurance coverage).
- *Stoeckel v. Leisure Care*, Mon-L-3320-20 (2022)(Summary judgment granted in medical malpractice lawsuit against a rehabilitation facility wherein the Plaintiff suffered an acute kidney injury requiring lifetime dialysis where damages exposure exceeded \$1 million).
- *Gaviria v. Lincoln Tech*, 2:20-cv-18552 (2021)(Motion to Dismiss granted in class action law suit alleging a breach of contract arising from the switch to online learning during COVID-19 pandemic in which multi-million damages were alleged).
- *Fitchberg v. Zozzaro*, CPM-L-356-18 (2022)(Summary judgment granted in product liability case where multi-million in damages were alleged following a four alarm fire across multiple beach front homes.
- *CCC Atlantic, LLC. V. Silverang, Donohoe, Rosenzweig & Haltzman, LLC*, 18-cv-17433 (July 25, 2019)(Summary judgment granted in a legal malpractice action arising from complex commercial litigation with alleged damages in excess of \$50 million dollars).
- *Perez v. Nour Pharmacy*, PAS-L-3289-18 (2019)(Motion to Dismiss granted in wrongful death opioid litigation).
- *Cisneros v. Union Surgery Center*, UNN-L-2442-19 (2021)(Voluntary dismissal following the filing of a summary judgment motion for podiatric malpractice claims against a surgical center).
- *Active Construction v. Land Dimensions*, GLO-L-105-16 (2019)(Summary judgment granted in architectural malpractice case in which hundreds of thousands of dollars in damages were claimed following construction of local outdoor sports fields).
- *Breuker v. Lifetime Fitness*, BUR-L-1812-19 (2019)(Summary judgment granted to gym and fitness instructor where plaintiff failed to establish a breach of the standard of care)
- *J.P. v. Nature's Classroom*, MER-273-15 (2018) (Motion to Dismiss granted in favor of camp arising from sexual misconduct case involving a minor with special needs).
- *Estate of Harrison v. Trump Plaza Hotel & Casino and Hoot Owl Restaurants, LLC*, 12-6683 (2016)(Summary judgment granted on dram shop claims in wrongful death litigation).

PUBLICATIONS

- Guide to Handling Politics in the Workplace, 2024

PRESENTATIONS

- *Leveraging AI for Efficient Data Management and Claim Outcomes: A Revolutionary Approach for Insurance*, 2024
- *Tipsy Topics: The Pour Truths of Dram Shop Liability*, 2024
- *Employment Liability Insurance Leveraging Diversity*, 2024
- *Societal Changes and Their Stamp on Insurance Claims Handling*, 2024
- *Employment Litigation: DEI in 2024 and its Impact on Leveraging Experts and Right Sizing Your Claim*, 2024
- *Plan for Success: A Comprehensive Medicare Compliance Process for Claims Professionals*, 2024
- *Evolution of Healthcare Claims in the Wake of Telemedicine*, 2023
- *ESG Trends in 2023: How to Enhance Environmental, Social and Corporate Governance*, (2023)
- *DUI and Implicit Bias: Navigating a Path to an Inclusive Work Culture*, 2023
- *Data Privacy in the Wake of GDPR and CCPA*, 2022
- *Employment Law Update: Discrimination in the Workplace and Professional Conduct*, 2022
- *Data Compliance and Cyber Liability*, 2022
- *How to Avoid Workplace Harassment While Creating an Inclusive and Diverse Culture*, 2021
- *Regulatory Concerns in Telehealth*, 2021
- *Women in Leadership, Inspiring the Next Generation of Leaders*, 2021
- *Ethical Considerations in a Post COVID-19 World*, 2020
- *Effective Strategies for Negotiations and Alternative Dispute Resolution*, 2020
- *Legal Ethics: Technology and Attorney/Client Privilege*, 2019
- *Cybersecurity Fundamentals for Today's Attorney*, 2018

CREDENTIALS

Admissions

- Pennsylvania
- New Jersey
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of Pennsylvania
- U.S. Court of Appeals, Third Circuit
- U.S. Supreme Court

Memberships

- American Bar Association
- Camden County Bar Association

Education

- J.D., Rutgers School of Law, 2007
- B.A., Rutgers College, 2004

Honors

- *Super Lawyers*® Rising Star distinction (2013-2022, Law & Politics)*

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey. The Super Lawyers® Rising Star list is issued by Thomson Reuters. A description of the selection methodologies can be found at: http://www.superlawyers.com/about/selection_process.html/