



**Coughlin Duffy** LLP



## Jason A. Meisner

Partner

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Jason Meisner is a Partner and Practice Group Leader in the Firm's Commercial Services Group.

Jason's practice concentrates in commercial litigation and counseling for clients ranging from start-up sole proprietorships to large corporations, general defense litigation, trusts and estate litigation, and criminal defense. He has represented clients in litigated matters from pre-suit investigation of potential claims through trial and appeal, in courts in New Jersey and Maryland, in proceedings before various administrative boards, and in alternative dispute resolution forums.

After graduating law school from the Catholic University, Columbus School of Law in 2000, Jason served as judicial clerk to the Honorable Patrick L. Woodward, Circuit Court for Montgomery, Maryland, for the 2000-2001 Term (Complex Civil Litigation). From 2001 to 2002, Jason was associated with the Washington D.C. law firm of Charapp, Deese & Weiss, LLP, focusing upon the defense of labor and employment claims on behalf of mid-sized businesses.

Upon relocating to New Jersey, Jason served as an assistant prosecutor in the Morris County Prosecutor's Office where he was assigned to a trial team unit responsible for the investigation and prosecution of a variety of criminal matters including narcotics possession and distribution, aggravated assault, theft and various economic crimes.

In 2003, he joined Porzio Bromberg & Newman, P.C. where his practice focused upon the defense of pharmaceutical companies in response to claims of product liability, and defended various licensed professionals such as architects and engineers in claims for malpractice. Jason joined Coughlin Duffy LLP in August 2005.

Jason's litigation experience offers his clients a solid backdrop in which to assist businesses with operational and management issues, review and negotiation of sale, purchase, lease, confidentiality, restrictive covenants, licensure and nondisclosure agreements, internal investigations and litigation-avoidance strategies. Jason also regularly counsels commercial and residential landlords and commercial tenants with respect to leasing disputes. This same background helps Jason develop and implement strategic plans in litigation generating creative and effective solutions for his clients.

In conjunction with his business litigation and counseling practice, Jason routinely defends businesses against claims for sexual harassment, wrongful discharge, and employment discrimination before courts and agencies at both the federal and state levels. Jason frequently assists employers in developing hiring and termination policies and procedures, work policies, personnel manuals and record-keeping procedures to help minimize employment litigation for his clients. Jason regularly protects and defends licensed professionals including attorneys, insurance producers, architects and engineers, in malpractice actions and administrative licensure and ethics proceedings.

Jason often works collaboratively with the firm's transactional and estate practice groups to directly manage issues and develop solutions for clients both to circumvent disputes, and to resolve disputes through litigation where it is unavoidable.

Jason's previous experience as an assistant prosecutor in the Morris County Prosecutor's Office has allowed him to develop a niche practice defending clients of the firm and their businesses in municipal and Superior Courts throughout New Jersey in matters ranging from municipal ordinance and motor vehicle violations, to disorderly persons offenses and indictable matters.

Jason's experience as an assistant prosecutor has helped shape a unique and comprehensive approach to investigating allegations against his clients and conducting discovery and internal investigations in the civil, administrative and criminal arenas. Those skills have proved invaluable to develop and support the positions his clients may take in disputes, or serve to undermine the positions taken by his clients' adversaries.

## REPRESENTATIVE MATTERS

- Obtained first impression judicial decision in the New Jersey Law Division concerning the disclosure of social media data, and requiring the disclosure of social media user names and passwords, by a plaintiff in a significant personal injury case where liability was largely uncontested. Plaintiff's subsequent deletion of all data to prevent disclosure, and threat of dismissal due to plaintiff's spoliation of evidence yielded settlement at less than 15% of plaintiff's original \$1.25 million demand.
- Obtained settlement with Department of Justice and relator in qui tam action alleging violations of Conscientious Employee Protection Act and False Claims Act against healthcare client following development and presentation of actual damage matrix undermining relator's claims, settlement represented 1% of client's total potential exposure.
- Obtained preliminary injunction against former employee of employer for breach of duty of loyalty despite absence of restrictive covenants between employee and employer followed by \$650,000

judgment against former employee.

- Obtained dismissal of personal injury premises liability claim alleging exposure to mold based upon various discovery violations by plaintiff.
- Compelled disclosure of social media (Facebook) information from plaintiff in motor vehicle matter with significant bodily injuries and uncontested liability, leading to settlement based upon plaintiff's disclosures via social media and concerns over plaintiff's deletion of data.
- Obtained dismissal of ethics grievance against attorney accused of a lack of diligence by the New Jersey Office of the Ombudsman for the Institutionalized Elderly.
- Obtained dismissal of ethics grievance against attorney accused by former client of misconduct in the prosecution of a sexual harassment action.
- Referral to arbitration and subsequent dismissal of claims against business owner client brought by adjoining business owner demanding monetary damages and to shut down client's operations.
- Development and implementation of alternative dispute resolution mechanisms for multiple clients in operating and service agreements, resulting in expedited and cost effective resolutions by way of successful negotiation, mediation or arbitration.
- Dismissal of indictable charges for theft against client.
- Obtained Pre-trial intervention resolution for client facing multiple indictable offenses including weapons, theft and unlawful taking of a motor vehicle.
- Obtained dismissal of charges against client for Driving While Intoxicated and other companion motor vehicle offenses in multiple matters.
- Successfully argued at Prehearing Conference with the New Jersey Motor Vehicle Commission Fatal Accident Unit resulting in client retaining driving privileges and cancellation of scheduled sixteen (16) month license suspension.

## **Services**

Commercial Litigation

Corporate and Business Transactions

Professional Liability - Defense

## **Education**

The Catholic University of America, Columbus School of Law (J.D., 2000)

The George Washington University (B.A., 1997)

## **Professional Admissions**

United States District Court for the District of New Jersey (2002)

United States District Court for the District of Maryland (2000)

State of New Jersey (2002)

State of Maryland (2000)

District of Columbia (2002)

## Speaking Engagements

Speaker, "I Can Get Sued for That?' Legal Pitfalls of Marketing in a Digital Age, and How Best to Avoid Them," Morris County Chamber of Commerce's DigiCON 2019 (October 11, 2019)

Speaker, "Protecting Your Assets," Leading Women Entrepreneurs (November 6, 2018)

Speaker and Host, VIP Exchange Networking Event, B.I.G. (Believe Inspire Grow) (October 2, 2018)

Speaker, Leading Women Entrepreneurs Academy Masterclass Workshop (June 15, 2018)

Co-Panelist, "Protecting Your Assets: Non-Competes, Non-Solicits, and Confidentiality Agreements," 12th Annual Goldman Sachs Prime Services Hedge Fund Human Capital Management Seminar (October 17, 2017)

Co-Speaker, "The Art of Client/Customer Diplomacy," Coughlin Duffy LLP and Leading Women Entrepreneurs Discussion (October 5, 2017)

Keynote Facilitator, "5th Annual Small Business Week Celebration," C3 Workplace (May 2, 2017)

Panelist, "Let Go to Grow," C3 Workplace Small Business Week Celebration (May 4, 2016)

Speaker, Leading Women Entrepreneurs and Business Owners (August 7, 2014)

Speaker, "Brown Bag Conversations," B.I.G. Webinar (Believe Inspire Grow) (May 16, 2014)

Co-Panelist, "Is it Worth The Risk?" B.I.G. (Believe Inspire Grow) Annual Summit (November 14, 2013)

Speaker, "Small Business Lawyer-Friend or Foe?" B.I.G. (Believe Inspire Grow) (October 23, 2013)

Co-presenter, "You've Been Served - The Things You Need to Do Immediately and the Things You Should Have Already Done," New Jersey Law Journal In-House Counsel Seminar (June 5, 2012)

## Publications and Presentations

Commenter, "Improve Your Negotiating Skills," *CEP Magazine*, American Institute of Chemical Engineers (August 2019)

Co-Author, "Mirror, Mirror on the Wall, The Statute of Repose Defense Could Be The Fairest Of All—Reflecting on a Critical Defense for Design Professionals," IADC Newsletter No. 3 (December 2005)

## Awards and Honors

*New Jersey Rising Stars* (2010 - 2016)

*New Jersey Law Journal*, "New Leaders of the Bar" (2012)

## Community Service

Honoree, Dress for Success Northern NJ - 10 Counties 20th Anniversary (2018)

Jason was named an honoree for the contributions he has made to the incredible growth of the organization and the impact it has had on so many lives over the past 20 years. Jason has been an integral part of the success of the organization and dedicated much time, energy, and financial support. He was a member of the Board of Directors from 2008-2010, and provided assistance to the Board's Legal Advisor from 2010-2015, he then became Legal Advisor to the Board in 2015, a position he still holds today.