

## Litigation Department of the Year — General Litigation (2<sup>nd</sup> Finalist)

# Fostering a Culture of Education

Genova Burns Giantomasi  
Webster builds better litigators  
from the ground up

**W**ith a backbone of commercial litigation and governmental affairs, Genova Burns Giantomasi Webster embodies a model boutique that can function at the level of a larger firm, succeeding at providing services that cross-cut a broad field of practice areas and industries.

It handles civil trial and appellate matters ranging from government regulatory, real estate development and business and contract disputes, to cases involving defamation, defense of civil rights claims, securities disputes, and construction and intellectual property litigation. Its expertise extends to municipal disputes and land use litigation.

And representation of corporate employers and management in the defense of employee wrongful-discharge and other claims has been a mainstay of the firm and one of its primary areas of expertise since its inception.

In 2012, the firm was lead counsel on published opinions that contributed to the development of law in numerous areas of public importance, including legislative reapportionment, minority voter suppression and access to governmental records.

The firm's secret is not only strong management and direction of its litigators but also cultivation of vital skills and values on a constant basis. The firm employs monthly "lunch and learn" programs, regular litigation department meetings and firm-wide, formally accredited in-house CLE programs to keep litigators abreast of developments in their fields. In addition, junior litigation associates participate in a formal firm-wide "shadowing" program, in which they accompany more experienced attorneys to court, depositions, mediations and other events to gain hands-on experience. The firm also provides case-management training for all of its attorneys.

Genova Burns has formally adopted and



**PARTNERS:** Left to right, Genova Burns' Kathleen Barnett Einhorn, Angelo Genova, Dena Calo, John Petrella, Jim Bucci and Celia Bosco; **COUNSEL:** Jennifer Borek, Sam Cornish, Marc Edell, Dina Mastellone, Rajiv Parikh, George Schneider and Harvey Weissbard

maintains best practices for the entire firm and for every practice group. These include measures to help anticipate client issues and concerns and to provide value-added solutions to client problems. Included are requirements for a minimum of quarterly updates on the status of each initial case plan.

The firm and its litigation department also enforce a set of formal best practices for case management and staffing, which are designed to promote efficiency and accountability to clients and enhance the quality of legal representation. These include preparation of a case management plan at the inception of every litigation matter which addresses not only the likely scope of work but also a budget; regular partner monitoring of files to ensure budget and work scope compliance; and internal remediation of material deviations from projected time lines and budgets.

Genova Burns stays current on billing and case management strategies and technologies. A recent innovation is the creation of the position of client service representative within the Finance Department. Every client is assigned an individual CSR who communicates frequently on the status of billing, providing real-time reporting and rapid responses to any client inquiries or concerns. This gives clients ready access to a finance professional equipped to address their billing-related inquiries

and enables attorneys to focus their time and communications with clients on more pressing legal matters.

### Major Litigators:

- Angelo Genova, partner and co-founder—As a labor lawyer, he has represented management for several decades in traditional labor and employment law matters in the private and public sectors before the National Labor Relations Board and the N.J. Public Employment Relations Commission. He has served four New Jersey governors (Florio, McGreevey, Codey, Corzine) as the state's labor negotiator with unions representing more than 50,000 public workers. He has participated as defense counsel in myriad employment litigation, discrimination, whistleblower and wrongful termination trials and appeals.

- Kathleen Barnett Einhorn, director of Complex Commercial Litigation Group and director of the Public Contract Law & Bid Protest Litigation Group — An experienced litigator, Einhorn is responsible for managing cases from inception to trial and for overseeing a team of lawyers and paraprofessionals. They concentrate their practices in general commercial litigation and counseling with an emphasis on complex contract and business disputes, fraud or misrepresentation, First Amendment and constitutional rights claims, civil extortion,

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intellectual property, defamation, real estate and construction disputes and public contract and bid protests.

- Celia Bosco, partner, director of the Health & Hospital Law Practice Group and the Appellate Practice Group — She is also a member of the Complex Commercial Litigation Practice Group and has experience handling appeals covering a wide range of litigation areas. She also concentrates her practice in health and hospital law, representing health-care providers.

- John Petrella, partner — is the director of the Employment Litigation Group, and he carries on an active practice in employment and commercial litigation matters.

- Jennifer Borek, counsel — As a member of the Complex Commercial Litigation and Construction Law & Litigation practice groups, Borek practices employment and commercial litigation. She is a fellow of the Litigation Counsel of America.

### Cases of Note:

- *Democratic National Committee v. Republican National Committee*, US Court of Appeals for the Third Circuit — Genova Burns attained voting rights victory on behalf of Democratic National Committee, with a successful Third Circuit decision and a subsequent Supreme Court denial of certiorari in culmination of 30-year-long court battle reaffirming vital protections against minority

voter suppression.

(Lead attorney, Angelo Genova)

- *Sidamon-Eristoff, Treasurer of the State of New Jersey; Harris, Administrator of Unclaimed Property of the State of New Jersey v. New Jersey Retail Merchants Association*, U.S. Court of Appeals for the Third Circuit — The court of appeals affirmed Genova Burns' argument on behalf of the New Jersey Retail Merchants Association challenging New Jersey's requirement of the escheat of unused gift cards, agreeing that the requirement was a violation of the Constitution's Contracts Clause.

(Lead attorneys, James Burns and Jennifer Borek)

- *Gonzalez v. State Apportionment Commission*, Superior Court of New Jersey, Appellate Division — Representing the State Apportionment Commission, Genova Burns successfully defended the legality of New Jersey's 2011 apportionment map against Tea Party challenges, setting clear precedential guidelines for future reapportionment commissions.

(Lead attorney, Angelo Genova)

- *Housing Authority of the City of Newark v. Devils Renaissance Development LLC and Devils Arena Entertainment LLC*, Superior Court of New Jersey, Essex County — Genova Burns successfully defended a multimillion dollar arbitration award it had secured on behalf of the New Jersey Devils in a contract dispute arising out of the construction, management and leasing of Newark's Prudential Arena.

(Lead attorneys, Angelo Genova, Jennifer Borek and Keith Krauss)

- *In the Matter of the Approval of the Sale of Substantially all of the Assets of Christ Hospital*, Superior Court of New Jersey, Hudson County — Genova Burns secured approval for the sale

of Christ Hospital under the Community Health Care Assets Protection Act, ensuring the future sustainability of a 140-year-old institution dedicated to providing health care to at-risk populations.

(Lead attorney, Celia Bosco)

- *Ciesla v. New Jersey Department of Health & Senior Services*, Superior Court of New Jersey, Appellate Division — Genova Burns successfully defended the Government Records Council's decision in a dispute concerning Valley Hospital's challenge to Hackensack University Medical Center and its bid to reopen Pascack Valley Hospital. The Appellate Division affirmed the discretion of public entities to maintain confidential drafts of work product.

(Lead attorney, Jennifer Borek)

- *Rosano v. Township of Teaneck*, U.S. District Court for the District of New Jersey — Genova Burns secured summary judgment on behalf of a township sued by 88 police officers for overtime claims. The district court agreed with the firm that claims for compensation for time spent attending daily roll calls or donning and doffing uniforms were frivolous and not covered by the collective bargaining agreement.

(Lead attorneys, Angelo Genova, Brian Kronick and Peter Berk)

- *Khan v. Rite Aid Corp.*, Superior Court of New Jersey, Hudson County — Genova Burns successfully defended Fortune 500 pharmacy chain Rite Aid in an age and sex discrimination lawsuit brought by a former employee who was actually discharged for violating company policy. Following a two-week trial, the jury returned a no cause verdict.

(Lead attorneys, James Bucci and Peter Berk)

- *Purpura and Moran v. Obama*, Superior Court of New Jersey, Appellate Division — Genova Burns defeated a "Birther" challenge to President Barack Obama's inclusion on New Jersey's presidential primary ballot.

(Lead attorney, Angelo Genova) ■

### Genova Burns Giantomasi Webster by the Numbers

	Firm-wide	N.J. Office
<b>Department size</b>	<b>34</b>	<b>34</b>
<b>Department as percentage of firm (head-count)</b>	<b>43%</b>	<b>43%</b>
<b>Department as percentage of firm (revenue)</b>	<b>40%</b>	<b>40%</b>