

Brian E. Bergin

Senior Counsel

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Brian E. Bergin is Senior Counsel in the firm's Jersey City office.

As an experienced trial and appellate lawyer in New York State and Federal Courts, Brian has proven ability handling complex files from inception through resolution, including through motion practice, mediation, trial, and appeal. Brian focuses his practice on General Liability Litigation, specifically Personal Injury, Labor & Employment Law, Construction Defect, and Products Liability matters.

Prior to joining Maron Marvel, Brian was an associate trial attorney who primarily defended General Liability matters involving Labor Law violations, Construction Defects, and General Negligence claims arising out of the re-construction of the World Trade Center, the renovation of John F. Kennedy Airport, and numerous re-build efforts following Hurricane Sandy. Brian additionally served as outside counsel to Honda and defended Products Liability claims involving their vehicles. Brian began his career as outside counsel to Northwell Health System, where he first gained litigation and trial experience defending medical malpractice, medical devices, medical instruments, and breaches of warranty claims.

BAR ADMISSIONS

- New York (2013)

COURT ADMISSIONS

- U.S. District Court for the Southern District of New York (2017)
- U.S. District Court for the Eastern District of New York (2017)

REPRESENTATIVE EXPERIENCE

- Trial counsel during a seven-week jury Labor Law trial involving a Union Ironworker who allegedly sustained career-ending injuries following a twenty-five foot fall at the World Trade Center. Coordinated defense to Plaintiff's economic claims and cross-examined Plaintiff's expert. Jury returned a verdict

EDUCATION

St. John's University School of Law (Juris Doctor, *Dean's List Graduation Award, Merit Scholarship Recipient, Families of Freedom World Trade Center Memorial Scholarship Recipient*, 2013)

Binghamton University (B.A. in Philosophy, Politics, and Law, 2010)

PRACTICES

Construction Law
General Liability
Product Liability
Professional Liability

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of less than half of what Plaintiff requested in future lost wages and declined to provide an award for future pain & suffering.

- Trial counsel during a three-week damages only Labor Law trial that settled favorably just prior to deliberations.
- Successfully defeated summary judgment motion in Staten Island Labor Law action based on alleged injuries sustained during Hurricane Sandy rebuild efforts, resulting in favorable settlement.
- Defeated summary judgment motion in Manhattan Labor Law case involving an alleged fall sustained by a Union electrician at the World Trade Center.
- Authored numerous Appellate briefs and motions in the New York State Appellate Divisions, First and Second Department, and the Court of Appeals. Orally argued before the Appellate Division, First Department.
- Obtained discontinuance of all claims against pediatrician in high exposure medical malpractice case based on an alleged failure to diagnose cardiac and pulmonary issues.
- Member of trial team in case involving alleged failure by two Staten Island neurologists to timely diagnose stroke and provide clot-busting agent tPA.
- Supporting trial attorney in Westchester case where jury rendered defense verdict where plaintiff alleged long term steroidal treatment caused avascular necrosis to develop.
- Obtained summary judgment in Bronx case on behalf of primary care physician who allegedly failed to diagnose and treat nursing home patient's decubitus ulcers leading to sepsis and other injuries.
- Obtained summary judgment in Westchester matter on behalf of internist in nursing home negligence case where the plaintiff a failure to monitor and properly prescribe psychological medications, resulting in a fall.
- Obtained dismissal in Queens case on behalf of defendant hospital in a wrongful death matter involving an alleged failure to appreciate and treat fatal cardiac issues in elderly patient with significant co-morbidities.
- Defeated motion to restore and reinstate all claims in Kings on behalf of orthopedic surgeon whose allegedly negligently performed operation caused complex regional pain syndrome.