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#### EDUCATION

- George Washington University Law School, J.D.

#### BAR & COURT ADMISSIONS

- New Jersey
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. Court of Appeals, Third Circuit
- U.S. Supreme Court

## Michael S. Meisel

### Member

Litigation  
Alternative Dispute Resolution  
Appeals  
Business Owner Disputes  
Directors & Officers  
Estates & Trusts Litigation  
Professional Liability  
Construction Services  
Surety and Insurance

Clients view Mike as a problem-solver who also knows how to produce results in the courtroom. His peers selected Mike as one of the country's elite "Bet-The-Company" trial lawyers, and those *Chambers USA* interviewed praised his "brilliant courtroom advocacy." Mike is perennially recognized in the Best Lawyers in America for his appellate advocacy as well. A certified civil trial lawyer, Mike's noteworthy cases in the federal and state courts include the \$12 billion Mutual Benefit Life Insurance Company reorganization, where he was lead litigator and special advisor to the New Jersey Insurance Commissioner and the Attorney General.

Co-Chairman of the firm's Litigation Department, Mike tries business cases of every variety—shareholder disputes, directors & officers liability and corporate/insurance reorganization. Mike also has successfully tried many arbitration cases, mediated disputes, serves as special master, mediator and arbitrator. In all these fields, Mike has earned professional distinction among his colleagues and with the courts.

Mike also has over 20 years of experience in surety and construction, including performance and payment bond litigation, surety claims, negotiation of takeover, completion and workout agreements, bid protests, as well as construction litigation and arbitration. He combines trial and work-out savvy with the substantive knowledge of surety and construction law. As a bar leader, Mike chaired the New Jersey State Bar Association Surety Law Committee and the Bankruptcy Law Section.

## Michael S. Meisel (Continued)

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Versatility, creativity, practicality, toughness, persistence, and the ability to persuade judges, juries and opponents describe Mike's litigation style.

### NOTEWORTHY

#### Mr. Meisel's current and past service and distinctions include:

- *Chambers USA: America's Leading Lawyers For Business* ranks Mr. Meisel and notes, "Michael Meisel earns the commendation of interviewees for his 'brilliant courtroom advocacy.'" *2011 Edition*.
- Selection for inclusion in *Best Lawyers in America®* in the following categories:
  - "Bet the Company" Litigation
  - Commercial Litigation
  - Construction Litigation
  - Bankruptcy Litigation
  - Appellate Law
- Selected for inclusion in the Top 100 *New Jersey Super Lawyers®* list
- Named "Litigation Star," Benchmark Litigation 2010: The Guide to America's Leading Litigation Firms and Attorneys
- Selected for inclusion in New York Area's *Best Lawyers*, Commercial Litigation
- Selected for inclusion in New York Area's *Best Lawyers*, Appellate Law
- Inclusion in *201 Magazine's* list of Top Lawyers in Bergen County for 2011.
- Executive Board, Law Firm Alliance
- President, Passaic County Bar Association
- Chairman, New Jersey State Bar Association, Surety Law Committee
- Chairman, New Jersey State Bar Association, Bankruptcy Section
- Lawyer Member, Advisory Committee for the Third Circuit
- Trustee, Association of the Federal Bar of New Jersey
- Trustee, Historical Society, District of New Jersey
- Lawyer Member, New Jersey Supreme Court Civil Practice Committee
- Mediator, the United States District Court, District of New Jersey
- Arbitrator, United States District Court, District of New Jersey and New Jersey Superior Court
- Arbitrator, International Chamber of Commerce, Court of Arbitration
- ADR OPTIONS™, recommended arbitrator/mediator

**Michael S. Meisel** (Continued)

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- Member, Board of Bar Examiners and the Supreme Court Committee on Bar Admissions
- Lecturer, litigation technique and surety law for the Institute of Continuing Legal Education, Surety Claims Institute, and International Association of Defense Counsel
- Ethics and Fee Arbitration Committees and charitable boards
- Mr. Meisel has been awarded an AV rating for his professionalism and the quality of his legal work from Martindale-Hubbell, the premier directory of legal professionals.

**REPRESENTATIVE MATTERS**

His mediation and arbitration experience includes a broad array of disputes, examples of which are: **surety, insurance and construction law** [*Safeco Insurance Companies of America; Kemper Insurance Group*]; **trade secret and unfair competition** [*AEP Industries v. Intertape Polymer Group*]; **termination of distributorship** [*Pittra v. Ybbstaler*]; **commercial real estate/development** [*Lehigh Housing v. Cofi Hopewell*]; **estate administration and accountings** [*Estate of Julius Kropf; Estate of William Boschen*]; **employment** [*Velleman v. L-3 Communications; West v. IDT*]; **franchises** [*Dunkin Donuts Incorporated v. Double D., LLC*]; **will contests** [*Estate of Piccolo*]; **vendor/retailer disputes** [*Land N Sea v. United Retail Group*]; **transportation and tariffs** [*Canadian National Railway v. Vulcan Materials Corp.*]; **securities fraud** [*Washington Group v. Bear Stearns*]; **private capital/joint venture** [*iPoint Ventures, LLC v. Pequot Capital Management, Inc.*]; **gasoline distributorship/supply contracts** [*Newport Mobil Service, Inc. et. al. v. Conocophillips Co., et al.*]; **national distributorship/convenience stores** [*Century Distributors, et. al. v. Quality Distribution Network, Inc.*]; **corporate financing/private equity** [*Cornell Capital Partners, L.P., v. Bad Toys, Inc., et al.*]; **performance bond claims** [*Geodis USA v. Travelers Insurance Co.*]; **real estate financing** [*Cargill Global v. Applied Development*]; **products liability/specialty manufacture** [*SPL Performance Parts, Inc. v. Sturm, Ruger & Co., Inc.*]; **hotel franchise** [*Ramada Worldwide v. Four J.S. et al.*]; **insurance coverage dispute** [*International Specialty Products vs. National Union Ins. Co. (AIG)*]; **construction/products liability** [*Turner Construction Company vs. Brian Trematore Plumbing*]; **construction/delay & termination** [*Hunt Construction Corp. vs. Bullet Electric, Inc.*]; **petroleum terminal contract dispute, business interruption, & property damage** [*Masefield International v. Terminal Ventures, Inc. et al*]; **commercial lease/subletting** [*Buck Consultants v. Glenpointe Associates*]; **dispute over SPA escrow and reserves** [*JAM Special Opportunities Fund, LP, et al ads. Upright Holdings FP, Inc.*]; **debt restructuring** [*Trump Taj Mahal Associates, et al. ads. Starkman*]; **liability insurance coverage** [*Trematore v. CNA & Virginia Surety*]; **multi-party insurance coverage & broker negligence** [*COSCO Container Lines Americas, Inc. vs. The Hartford, Twin Cities Fire Insurance Company, and MMZ Associates, Inc. (Firemens Fund)*];

**Michael S. Meisel** (Continued)

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**construction/surety - deep foundation** [*Skanska/Underpinning v. Travelers Insurance Company*]; **construction, improvement, & brokerage** [*Bekkerman/Franklin Lakes Associates*]; **franchise termination claims** [*Wyndam Hotels & Resorts, LLC v. Intersite Real Estate Development*]; **employment claims and equity buy-out** [*Oussoren/Boomerang Pharmaceutical Communications, USA, LLC*]; **sale & exchange of development property** [*River Terrace Estate, LLC v. Saddle River Enterprises, Inc.*].

**PUBLISHED DECISIONS**

Mr. Meisel's reported cases span a wide range of commercial law, including: **insurer reorganization** [*Mutual Benefit Life Ins. Co.*, 609 A.2d 768 (1992)]; **attorney's liens** [*Mandlebaum, Salsburg v. General Ins. Company of America*, 799 A.2d 672 (2002)]; **commercial bribery/trade slander** [*Printing Mart v. Sharp Electronics*, 563 A.2d 31 (1989)]; **business brokerage** [*Kazmer-Standish Consultants, Inc. v. Schoeffel Instruments Corp.*, 445 A.2d 1149 (1982)]; **real estate commissions** [*Snyder Realty v. BMW of North America*, 558 A.2d 28 (1989)]; **suretyship** [*V. Petrillo & Sons, Inc. v. American Const. Co.*, 371 A.2d 799 (1977)]; **trade secret** [*Bay State Lighting Co. v. Voight Lighting Industries, Inc.*, 1984 W.L. 1450]; **local government** [*Miller v. Municipal Council of Wayne Township*, 354 A.2d 658 (1976)]; **attorney fraud/recovery fund** [*Matter of Kampelman*, 398 A.2d 152 (1979)]; **equitable liens** [*UFJ Bank Ltd. v. J & A Intern. Corp.*, 808 A.2d. 173 (2002)].

**PUBLICATIONS**

Experts and Their Reports: Disclosure, Discovery & Admissibility, Judicial Conference, United States District Court, District of New Jersey (2000)

Complex Litigation: Attorney-Client Privilege, *New Jersey Law Journal*

West's New Jersey Practice, Debtor-Creditor Law and Practice

Not Getting Caught in 'The Net': Inadvertent Disclosures and Other Techno-Hazards, *Surety Claims Institute*

Bankruptcy Basics and Key Strategies for the Surety, *Surety Underwriters Association*

Construction Defaults and the Contractor's Bond, *New Jersey Institute of Continuing Legal Education*

Resolving Insurer Insolvency Issues, *Institute for Continuing Legal Education* Pushing the E-Mail Envelope Without Doing Battle with Employees, *New Jersey Law Journal*, Supplement on Complex Litigation (1995)

**Michael S. Meisel** (Continued)

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Appeals Court Expands Rico Liability, *New Jersey Law Journal*, Special Supplement on Complex Litigation (1995)

Commercial Brokerage Commissions-"Nasty Surprise for New Landlord," *Bergen Record*

**SPEAKING ENGAGEMENTS**

- Management Forum on "Role of In-house General Counsel for Mid-Sized Firms," *Law Firm Alliance National Conference, New Orleans*, November 2011
- Management Forum on "Efficiencies & Improvements/Meeting Client Needs," *Law Firm Alliance International Conference - London*, May 2011
- Management Forum on Client Satisfaction, *Law Firm Alliance Fall 2010 Conference - Phoenix, AZ*, October 2010
- Beyond Survival: How to Survive and Thrive in Extreme Conditions, *KORE Group, Inc.*, March 30, 2010
- Bankruptcy Basics and Key Strategies for the Surety, *Surety Underwriters Association of New Jersey*
- Bankruptcy Basics for the Surety, *Bond Claims Association - MidAtlantic*
- Construction Defaults: Working out the Troubled Project, *Institute for Continuing Legal Education*
- Resolving Insurer Insolvency Issues, *New Jersey Institute for Continuing Legal Education*
- Federal Rules of Evidence/Expert Reports: Judicial Conference, *U.S. District Court, District of New Jersey*