

## ERICA J. GOLDRING

ASSOCIATE



### AREAS OF PRACTICE

General Liability  
Automobile Liability  
Miscellaneous Professional Liability  
Product Liability

### CONTACT INFO

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### ADMISSIONS

New Jersey  
2018

U.S. District Court District of  
New Jersey  
2018

New York  
2020

### EDUCATION

Seton Hall University School  
of Law (J.D., cum laude, 2017)

University of Connecticut  
(B.S., 2014)

### YEAR JOINED

2018

### OVERVIEW

Erica represents clients in the areas of premises liability, professional malpractice, automobile negligence and condominium/ community association law. She prides herself in bringing creativity and thoughtfulness to her defense practice.

Erica's experience as a New Jersey Appellate Division law clerk has helped to guide her both as a litigator and with motion practice. In her first year of practice at Marshall Dennehey, Erica successfully drafted five dispositive motions, including four summary judgment motions and one pre-answer motion to dismiss. She also commenced a trial before the Bergen County Special Civil Part. The case favorably settled during trial for half of the plaintiff's demand.

Prior to joining the firm, Erica served as a law clerk for the Honorable Harry G. Carroll, J.A.D. (retired) where she was tasked with evaluating a wide variety of criminal, family, and civil appeals. Erica was responsible for researching and appraising the merits of each appeal and drafting memoranda that provided a legal recommendation and supporting legal research. Erica also edited the judge's written opinions and advised the judge at oral argument where he was part of a three-judge panel.

Erica graduated *cum laude* from Seton Hall University School of Law where she earned her *juris doctor* in 2017. She also served as a legal extern for the Honorable Patty Shwartz, U.S.C.J. In addition, Erica served as Secretary to the Seton Hall Women's Law Forum and was an editor for the Seton Hall Legislative Journal while in law school.

In her spare time, Erica is a mentor with the New Jersey Legal Education and Empowerment Project ("NJLEEP"), which prepares students in the greater Newark, New Jersey area for college. Erica also advocates for homeless pets in the shelter system as well as shelter reform.

# THOUGHT LEADERSHIP

## **Case provides strong defense for supermarket owners and operators against slip-and-fall claims.**

**Roseland**

**Premises and Retail Liability**

**General Liability**

**July 1, 2021**

When the plaintiff slipped and fell on a grape in the aisle of a Sam's Club store in Linden, New Jersey, she brought Case Law Alerts, 3rd Quarter, July 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of interest to our readers.

## **The New Jersey Supreme Court adopts the Ongoing Storm Doctrine, ending split amongst lower courts.**

**Roseland**

**General Liability**

**Premises and Retail Liability**

**July 1, 2021**

New Jersey's highest court has finally held that a commercial property owner does not have a duty to remove snow or Case Law Alerts, 3rd Quarter, July 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of interest to our readers.

## **A general contractor does not owe a duty of care to protect against harm to subcontractor's employee where general contractor does not retain any control over the manner and means of the work.**

**Roseland**

**Construction Injury Litigation**

**April 1, 2021**

In accordance with the well-established case of Tarabokia v. Structure Tone, 429 N.J. Super. Case Law Alerts, 2nd Quarter, April 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of interest to our readers.

## **Appellate Division affirms trial court's decision that the mode-of-operation rule did not apply in the area of the grocery store where injury occurred.**

**Roseland**

**Premises and Retail Liability**

**April 1, 2021**

The plaintiff slipped and fell on liquid on the floor of the grocery store near the check-out area. Case Law Alerts, 2nd Quarter, April 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of interest to our readers.

# **In New Jersey, the Ongoing Storm Doctrine remains a fact-specific analysis rather than the former bright-line rule.**

**Roseland**

**Premises and Retail Liability**

**April 1, 2021**

The plaintiff brought claims for personal injuries after he slipped and fell on an ice/snow-covered walkway adjacent to the defendants' donut store. Case Law Alerts, 2nd Quarter, April 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of int

## **PUBLISHED WORKS**

*Case Law Alerts*, contributor, January 2019-present

## **RESULTS**

### **Discovery Violations Sink Plaintiff's Case**

**General Liability**

**May 7, 2021**

We successfully barred all of the plaintiffs' liability expert reports and testimony against our client, a septic installer, as sanctions for intentional spoliation of evidence in the case. The plaintiffs brought suit for alleged negligent installation of a septic system that they claim caused them bodily injuries and economic damages.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Successfully barred all of plaintiffs' liability expert reports and testimony against our septic-installer client as sanctions for intentional spoliation of evidence in a case pending in the Law Division of Morris County, New Jersey. Plaintiffs brought suit against our septic-installer client for alleged negligent installation of a septic system that they claim caused them bodily injuries and economic damages. During the pendency of this litigation, and well into the discovery period, plaintiffs and their experts performed extensive and invasive environmental testing on the property for longer than three (3) months, which was intentionally concealed from the defendants. Erica obtained this information through a third-party fact witness at deposition, who then provided Erica with a draft copy of plaintiffs' liability report that was supplied to him. That report detailed the many months of destructive testing that plaintiffs and their experts had performed. Erica then moved to bar all of plaintiffs' liability reports and testimony at the time of trial due to plaintiffs' egregious discovery violations, and the court agreed, granting all of the requested relief. Erica is now moving for summary judgment for our client as plaintiffs cannot sustain their claims without expert proofs.

Obtained summary judgment for a nationwide truck leasing company in a case pending in the Law Division of Somerset County, New Jersey. Plaintiff commenced this suit as the result of a motor vehicle accident with the leased truck, which was driven by a party that plaintiff failed to successfully serve with the pleadings in this matter. After Erica defeated plaintiff's motion for substituted service on the driver through our client's insurance carrier, she moved for summary judgment for the truck leasing company based on principles of agency. The court agreed that there was no agency relationship between the driver and our client, the truck leasing company, and

dismissed the case as to all parties with prejudice.

Obtained a summary judgment for a janitorial maintenance company in a personal injury action where plaintiff slipped and fell on rainwater at the entrance to a supermarket during a heavy rainstorm.

Obtained a dismissal with prejudice for a veterinary practice on claims of professional malpractice and breach of contract stemming from the veterinary group's decision not to euthanize a pet rabbit against the owner's request.

Obtained a summary judgment for a janitorial maintenance company in a personal injury action where plaintiff fell due to an alleged "slippery" floor where no hazard was present and liability expert report consisted of a net opinion.

Obtained a summary judgment on behalf of a snow contractor where plaintiff slipped and fell in the parking lot of a commercial establishment during an ongoing snow storm.

Obtained a summary judgment for real estate firm in personal injury action where plaintiff fell during a private residential showing, successfully arguing a showing realtor owed no duty of care to protect third parties against hazards outside the context of an open house.