

## JENNIFER M. ROBERTS

SHAREHOLDER



### AREAS OF PRACTICE

Automobile Liability  
General Liability  
Fraud/Special Investigation  
Asbestos & Mass Tort Litigation  
New York Construction & Labor Law  
Construction Injury Litigation

### CONTACT INFO

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175 Pinelawn Road  
Suite 250  
Melville, NY 11747

### ADMISSIONS

New York  
2013

### EDUCATION

Albany Law School (J.D., cum  
laude, 2012)

State University of New York at  
Albany (B.A., magna cum laude,  
2009)

### ASSOCIATIONS & MEMBERSHIPS

American Bar Association 2009 -  
present

New York State Bar Association  
2009 - present

### YEAR JOINED

2013

### OVERVIEW

Jennifer is a member of the Casualty Department, handling cases involving premises liability, auto liability, general liability and New York State Labor Law matters. She handles a wide variety of automobile litigation including personal injury involving commercial and fleet vehicles.

She also handles matters involving toxic tort litigation, primarily focusing on the defense of companies in the New York asbestos litigation.

In her career, Jennifer has handled cases involving fraud and insurance fraud-related matters. She primarily dealt with evaluating medical provider fraud and fraudulent claims on the part of the clients' insureds. Her experience included Examinations Under Oath, drafting coverage opinions, large loss property investigation and bad faith. Jen also handled PIP disputes throughout the southeastern part of New York state.

Jennifer graduated from The State University at Albany in 2005 with a Bachelor of Arts degree, with honors, in Political Science and Criminal Justice. Jennifer received her *juris doctor* from Albany Law School in Albany New York in 2012, graduating with honors.

Prior to joining the firm in 2013, Jennifer was an associate attorney in upstate New York, where she focused her practice on product liability law and criminal defense work. Jennifer has successfully argued summary judgment motions in New York Supreme Court, in both Broome and Chenango county.

### THOUGHT LEADERSHIP

#### **Marshall Dennehey Announces 2022 New Shareholder Class - - With 10 women and 7 men, the class has one of the highest percentages of women in the firm's 60-year history**

January 3, 2022

Marshall Dennehey Warner Coleman & Goggin is pleased to announce that 17 attorneys, 10 women and 7 men, have been elevated to shareholder, effective January 1, 2022.

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### LEGAL TEACHING POSITION

Albany Law School Teaching Assistant: Torts, Fall 2010

Albany Law School Teaching Assistant: Constitutional Law, Spring 2010

## **PRO BONO ACTIVITIES**

Volunteer for Senior Citizen Law Day at Albany Law School, 2010, 2011, 2012

## **RESULTS**

### **Summary Judgment Secured in New York Slip-and-Fall Case**

#### **Premises & Retail Liability**

**January 24, 2024**

We were granted a motion for summary judgment in a slip-and-fall case before a court in Queens County, New York. The plaintiff argued that she fell down the stairs located inside employer's store. As she could not sue her employer, she instead sued the landlord. We successfully argued that our client was an out-of-possession landlord that held no liability to the plaintiff. Further, she successfully argued that our client was not contracted to maintain the premises.

### **After nine-week trial, unanimous defense verdict in asbestos case where \$40 million in damages had been sought.**

#### **Asbestos & Mass Tort Litigation**

**March 23, 2022**

We obtained a unanimous defense verdict after a nine-week trial in Suffolk County, New York, where the plaintiff's counsel requested that the jury award \$40 million in damages. The plaintiff was 51 years old when she was diagnosed with peritoneal mesothelioma, allegedly as a result of being exposed to asbestos-containing joint compound manufactured and sold by our client. The plaintiff, who was 56 at the time of trial, testified that she had little or no knowledge of ever being exposed to asbestos.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained a unanimous defense verdict after a nine week trial in Suffolk County, New York, where the plaintiff's counsel requested that the jury award \$40 million in damages. The plaintiff was 51 years old when she was diagnosed with peritoneal mesothelioma allegedly as a result of being exposed to asbestos containing joint compound manufactured and sold by our client. Plaintiff who was 56 at the time of trial, testified that she had little or no knowledge of ever being exposed to asbestos. However, her older sister, who served as the only product identification witness at trial, testified that she recalled that their father used asbestos containing joint compound on two occasions, approximately fifty years ago when he repaired their home after a fire in 1970 and when he built a home in Florida around 1975. Plaintiff was five and ten years old respectively during the alleged exposures and plaintiff's sister was seven years older. Plaintiff's sister testified that she had a vivid memory of her father using six different joint compounds during the two projects, including our client's product. She also testified that the plaintiff was present hundreds of times when their father mixed, applied and sanded the joint compound. At trial, we called an industrial hygienist, a toxicologist and an epidemiologist who testified that the type of asbestos fiber used in our client's joint compound did not cause or contribute to her mesothelioma, because the fibers are too short and do not cause disease. Our epidemiologist testified that plaintiff's mesothelioma developed spontaneously and was not the result of asbestos exposure. We also called a construction expert, who testified that the sister's testimony regarding the amount of joint compound used and the time the sister was exposed were excessive. The jury deliberated an hour before returning the verdict. Post-trial comments from jurors indicated they did not find the sister to be credible.