

## SUNNY MARIE SPARANO

CHAIR, ARCHITECTURAL, ENGINEERING AND CONSTRUCTION DEFECT LITIGATION PRACTICE GROUP  
SHAREHOLDER



### AREAS OF PRACTICE

Architectural, Engineering & Construction  
Defect Litigation  
Environmental & Toxic Tort Litigation  
Miscellaneous Professional Liability

### CONTACT INFO

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425 Eagle Rock Avenue  
Suite 302  
Roseland, NJ 07068

### ADMISSIONS

New Jersey  
2000

U.S. District Court of New Jersey  
2000

New York  
2001

U.S. District Court Eastern District  
of New York  
2001

U.S. District Court Southern  
District of New York  
2001

### EDUCATION

Widener University School of Law  
(J.D., 2000)

Seton Hall University (B.A., 1997)

### OVERVIEW

Sunny is Chair of the firm's Architectural, Engineering and Construction Defect Litigation Practice Group and serves on the firm's Board of Directors. Sunny focuses her practice on the defense of design and construction professionals, both independently and through their insurance carriers, in complex construction defect suits asserting a variety of claims, such as building and design-related deficiencies.

These large and complex construction defect suits often involve multiple parties in which issues of code violations, negligence, breach of contract and fraud are at issue, as well as insurance coverage claims under GL policies. Similarly, Sunny defends contractors and design professionals in claims involving construction site accidents. She also defends manufacturers in product liability actions.

In addition to the above, Sunny regularly handles environmental claims and serves as counsel in litigation involving leaking underground storage tanks, groundwater contamination, and claims pursuant to the New Jersey Spill Compensation Act.

Sunny has brought a significant amount of litigation experience with her when she joined the firm in 2005. Prior to joining the firm, Sunny was a construction litigation attorney who represented builders and contractors in complex construction defect suits. Prior to gaining experience in the construction litigation arena, Sunny briefly focused her practice in ERISA litigation handling health, life and disability benefit claims and the defense of insurance companies in connection with said claims.

In 1997 Sunny received her B.A. in Political Science from Seton Hall University. She then entered Widener University School of Law and received her *juris doctor* in 2000. Following law school, she served as judicial secretary to the Honorable Sallyanne Floria, J.S.C. in the Chancery Division, Family Part, Essex County, New Jersey. She is a member of the New Jersey State, New York State and Essex County Bar Associations, and is the Northeast Regional Associate for the [Women's Construction Litigation Alliance](#), a non-profit organization devoted to expanding the role of women in construction defect litigation.

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## HONORS & AWARDS

AV® Preeminent™ by Martindale-Hubbell®

*The Martindale-Hubbell rated attorney list is issued by Internet Brands, Inc. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

The Best Lawyers in America®, Litigation - Construction 2023-2024

*The Best Lawyers list is issued by Woodward & White. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

New Jersey Super Lawyer Rising Star 2010-2013

*The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

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## ASSOCIATIONS & MEMBERSHIPS

Essex County Bar Association

New Jersey State Bar Association

New York State Bar Association

Women's Construction Litigation Alliance, Regional Associate, Northeast Region

Women's Law Caucus, 1997-2000, President (2000)

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## YEAR JOINED

2005

## THOUGHT LEADERSHIP

### Marshall Dennehey Shareholder Sunny M. Sparano Elected to Firm's Board of Directors

Architectural, Engineering & Construction Defect Litigation  
January 5, 2024  
Sunny M.  
[Read More](#)

### Lawsuit dismissed after election of new home warranty arbitration remedy.

**Architectural, Engineering & Construction Defect Litigation  
January 1, 2012**

The court dismissed a homeowner's suit after the homeowner initially filed a warranty claim. Case Law Alert, 1st Qtr 2012

### Regulatory violations of the Consumer Fraud Act can result in individual liability.

**Architectural, Engineering & Construction Defect Litigation  
January 1, 2012**

The New Jersey Supreme Court further clarified when an individual owner or employee of a company may be liable under the Consumer Fraud Act ("CFA"). Case Law Alert, 1st Qtr 2012

### Regulatory violations under the Consumer Fraud Act resulted in award of attorney fees.

**Architectural, Engineering & Construction Defect Litigation  
January 1, 2012**

The Appellate Division reversed a trial court's decision to not impose personal liability on the owner of a residential construction company under the Consumer Fraud Act. Case Law Alert, 1st Qtr 2012

### Public entity can reject low-bid contractor after bid accepted and contract signed.

**Architectural, Engineering & Construction Defect Litigation  
July 1, 2011**

Bids were accepted, and a contract was awarded for improvements to a solid waste facility. Case Law Alert - 3rd Qtr 2011

## CLASSES/SEMINARS TAUGHT

*Coordinating the Design Defense*, NJICLE 2023 Construction Law Forum, June 21, 2023

*Building a Stronger Industry: The Impact of the Building Safety Legislation on Construction and Insurance*, ILG 360<sup>9</sup> London Annual Conference 2023, March 15, 2023

*Survival and Revival - How the Construction Industry is Embracing Change to Overcome Recent Challenges*, ILG Virtual Conference, March 24, 2021

*Construction Defect Litigation in New York and New Jersey*, Client Webinar, December 2020

*Leveling the Playing Field To Avoid Problems Down the Road on Construction Projects*, West Coast Casualty Construction Defect Seminar, May 2017

*If It Ain't Broke, Don't Sue: Why Products Claims in Construction Defect Cases Are Not Easy Money*, West Coast Casualty Construction Defect Seminar, May 2016

*Statute of Repose and PREDFDA in New Jersey Construction Defect Law*, Construction Defect Claims Manager Association, March 2013

*Construction Defect in the State of New Jersey*, Construction Defect Claims Managers Association, March 2013

## **PUBLISHED WORKS**

*Case Law Alerts*, contributor, 2011-2012

"If You Build It, They Will Sue," *New Jersey Law Journal*, March 27, 2006, co-author

"If You Build It, They Will Sue: Construction Defect Litigation In The Garden State And The Trend Of Alternative Dispute Resolution," *Defense Digest*, Vol. 11, No. 4, December 2005, co-author

## **RESULTS**

### **Defense prevails in multi-party construction defect action**

#### **Architectural, Engineering & Construction Defect Litigation December 30, 2019**

The decision was later affirmed by the Superior Court of New Jersey, Appellate Division, and we successfully argued both the summary judgment motion and the appeal. The plaintiff, a condominium association, filed suit against the sponsor of a newly constructed mixed-use residential and commercial building in Hoboken, New Jersey. The plaintiff also sued the property management company, the general contractor and various subcontractors involved in the construction.

#### **SIGNIFICANT REPRESENTATIVE MATTERS**

Successfully represented a general contractor in a multimillion dollar construction defect litigation in New York alleging deficient construction of a mid-rise luxury building and resolved the case through mediation. Achieved a global resolution of the case for less than ten percent of the total damages complained of by plaintiff. Significantly limited our clients contribution, by taking the lead role in mediation and working with the subcontractor defendants to come up with a global settlement package.

Successfully represented general contractors in construction site injury cases whereby the defense of our client was tendered to the subcontractor defendants and the defense of our client was assumed.

Successfully represented a window manufacturer in a multi-party litigation whereby the matter was resolved through mediation with no payment by our client.

Summary judgment granted for defendant in case against an oil tank testing and removal company alleging negligence in connection with the testing of the underground oil tank.

Summary judgment granted for defendant in case by homeowner against contractor whose alleged work caused and/or contributed to the alleged structural deficiencies of the home. Successfully established that plaintiff's expert failed to establish a causal connection between the alleged deficiencies and the work performed by defendant contractor.