

CHRISTOPHER J. DICICCO

SHAREHOLDER



AREAS OF PRACTICE

Product Liability
Maritime Litigation
Aviation and Complex Litigation
New York Construction and Labor Law
General Liability

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ADMISSIONS

New Jersey
2011

U.S. District Court District of
New Jersey
2011

New York
2012

U.S. District Court Eastern
District of New York
2012

U.S. District Court Southern
District of New York
2012

U.S. Court of Appeals 2nd
Circuit
2014

Pennsylvania
2021

U.S. District Court Eastern
District of Pennsylvania
2021

OVERVIEW

Christopher is a shareholder in the Casualty Department where he concentrates his practice mostly in the areas of product liability and admiralty and maritime litigation. He defends the manufacturers of tools, electrical components, automatic doors, machinery, and other heavy industrial equipment.

Chris regularly handles maritime personal injury defense cases and marine construction cases, including cases involving the Jones Act and the Longshore and Harbor Workers' Compensation Act. He also handles cargo defense matters, including those involving warehouses and transportation brokers. Other maritime experience includes claims involving allisions, collisions, groundings, shipboard fires, and marine insurance disputes. He also has experience handling aviation matters including air crash cases.

In May 2008, Chris graduated with honors from Villanova University with a bachelor's degree in Political Science. He obtained his *juris doctor* in June of 2011 from Brooklyn Law School.

Chris has been recognized for the last several years as a New York Metro and New Jersey Super Lawyer Rising Star.

Chris is admitted to practice in New York, New Jersey and the Commonwealth of Pennsylvania and he actively handles litigation in all of those jurisdictions.

THOUGHT LEADERSHIP

Eight Marshall Dennehey Attorneys Selected to 2021 New York Metro Super Lawyers and Rising Stars

October 4, 2021

Eight attorneys from Marshall Dennehey's New York City and Westchester, New York offices, and one from the firm's Mount Laurel, New Jersey office, have been selected to the 2021 edition of New York Metro Super Lawyers magazine.

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U.S. Court of Appeals for the Fifth Circuit upheld a Sieracki unseaworthiness finding.

Mount Laurel

Maritime Litigation

April 1, 2021

In *Rivera v. Case Law Alerts*, 2nd Quarter, April 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of int

Marshall Dennehey Announces 2021 New Jersey Super Lawyers and Rising Stars

March 29, 2021

Eight attorneys from the Mount Laurel and Roseland, New Jersey, offices of Marshall Dennehey Warner Coleman & Goggin have been selected to the 2021 edition of New Jersey Super Lawyers magazine.

[Read More](#)

Loss of society damages and punitive damages are not available under the general maritime law where a minor plaintiff sues arising out of a maritime personal injury accident involving her father.

Mount Laurel

Maritime Litigation

January 11, 2021

The California Court of Appeal affirmed the trial court's grant of judgment on the pleadings against a minor plaintiff who sought recovery for loss of society da Case Law Alerts, 1st Quarter, January 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of inte

Marshall Dennehey Announces 2021 Shareholder Class and Special Counsel Promotion

January 4, 2021

Marshall Dennehey Warner Coleman & Goggin is pleased to announce that eight associates and five special counsel have been elevated to shareholder, effective January 1, 2021.

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CLASSES/SEMINARS TAUGHT

(Not So) Straight Forward and Freight Forward: Claims Handling Under Shipper's Interest Cargo Insurance, AIMU/MICA Seminar "Marine Insurance: A Global Perspective," New York, June 2018

Schoenbaum Longshore & Harbor Workers Compensation Act - Chapter 5, Marshall Dennehey Client Presentation, March 2018

Chapter 3 -Schoenbaum's Admiralty and The General Maritime Law (3-14 through 3-24), Client Seminar, December 16, 2015

Chapter 3 -Schoenbaum's Admiralty and The General Maritime Law (3-1 through 3-13), Client Seminar, November 17, 2015

Impact of Long Shore and New York Labor Law, the Jones Act and McBride Decision on Punitive Damages Under Maritime Law, Client Seminar, April 2015

Brief Overview of New York No-Fault Insurance Law, April 2012

PUBLISHED WORKS

Case Law Alerts, regular contributor, 2016-present

"Brief Overview of Shipowner's Limitation of Liability Act - History, Procedure and Recent Trends," *Defense Digest*, Vol. 20, No. 1, March 2014

RESULTS

Claims dismissed in marine construction NY Labor Law case.

New York Construction and Labor Law

May 7, 2021

Our team successfully obtained summary judgment dismissing all claims against our client in a marine construction NY Labor Law case pending in Supreme Court Rockland County. The case involved bodily injuries sustained to an employee of our client, which was a sub-subcontractor at the site of the new Mario Cuomo Bridge. The property owner, general contractor and the subcontractor each cross-claimed and/or third-partied our client into the case.

Successful defense of marine construction New York Labor Law case.

New York Construction and Labor Law

Maritime Litigation

May 18, 2020

Marshall Dennehey successfully obtained summary judgment, dismissing all claims against our client in a marine construction New York Labor Law case in the Supreme Court in Rockland County. The case involved bodily injuries sustained to an employee of our client, a sub-subcontractor at the site of the new Mario Cuomo Bridge. The property owner, general contractor and the subcontractor each cross-claimed and/or third-partied our client into the case, all seeking contractual and common law indemnity and contribution pursuant to the terms and conditions of the various contracts.

Summary Judgment Under New York State Labor Law

Maritime Litigation

December 6, 2016

Obtained summary judgment in a maritime case, dismissing the plaintiff's complaint and the defendants' cross-claims against The City of New York and the New York City Economic Development Corp. (NYCEDC). The suit was for personal injuries sustained to a dock builder. The City is the owner of the East River Ferry Landing's Project at a pier on East 34th Street in Manhattan. The NYCEDC acted as The City's project manager. Suit was brought under the New York State Labor Law Sections 240, 241(6) and 200, as well as common law negligence.

Successfully Defended the GC for the Tappan Zee Bridge Rehabilitation Project

Maritime Litigation

August 25, 2016

Successfully defended the general contractor on a project to rehabilitate the Tappan Zee Bridge after a six-day bench trial in the U.S. District Court for the Southern District of New York. Our client chartered a barge as a floating work platform and entered into a subcontract agreement with a tug operator, whose tug was used to ferry electricians to the work site. Our client's employee, a barge deckhand, fell into the river after an impact between a tug and the barge.

SIGNIFICANT REPRESENTATIVE MATTERS

Successfully obtained summary judgment dismissing all claims against our client in a marine construction NY Labor Law case pending in Supreme Court Rockland County. The case involved bodily injuries sustained to an employee of our client which was a sub-subcontractor at the site of the new Mario Cuomo Bridge. The property owner, general contractor and the subcontractor each cross-claimed and/or third-partied our client into the case seeking contractual and common law indemnity and contribution pursuant to the terms and conditions of the various contracts. We argued and the Court agreed, since there was no finding of negligence against our client causing the injuries sustained to plaintiff, the indemnification clauses were not implicated. The Court found that there was no evidence demonstrated that our client caused in whole or in part the injuries plaintiff sustained. The plaintiff and general contractor made motions to reargue which were both denied. The parties also filed appeals which are currently pending in the Appellate Division.

Obtained summary judgment in a maritime personal injury case in favor of The City of New York and the New York City Economic Development Corp. (NYCEDC). The suit was for personal injuries sustained to a dock builder. The City was the owner of the East River Ferry Landing's Project at a pier on East 34th Street in Manhattan. The NYCEDC acted as The City's project manager. Suit was brought under the New York State Labor Law Sections 200, 240(1), and 241(6), as well as common law negligence. As to the Labor Law 240(1), the court determined that this section did not apply to the facts as the plaintiff's alleged injury (caused by the repetitive nature of receiving buckets of epoxy, which were lowered down to him from a barge, and then he carried the buckets across a float stage and poured the epoxy into pile jackets) was only tangentially related to gravity and was not caused by the kind of gravity-related risks that Labor Law 240(1) intended to cover. As to the plaintiff's Labor Law 200 and common law negligence claims, plaintiff's counsel conceded during oral argument

that there was no basis to proceed with such claims against The City and NYCEDC. Lastly, with respect to the plaintiff's Labor Law 241(6) claims, the plaintiff did not oppose our motion to dismiss that claim.

Obtained the dismissal for our client by motion as a result of plaintiff's failure to comply with the applicable two-year statute of limitations. Our client was the owner of the facility at which plaintiff was operating a loaded trailer while in the employ of the lessee of the yard, when the trailer tipped over while plaintiff was moving it from the loading bay to the other side of the yard. Plaintiff sustained very serious bodily injuries. In addition to the dismissal of plaintiff's Complaint, we also recovered approximately 50% of our attorney's fees incurred on behalf of our client on our third-party claims against the plaintiff's employer and lessee of the yard, pursuant to the lease agreement between our client and the lessee of the yard.

Obtained the dismissal of plaintiff's cargo claims against our client, a non-vessel operating common carrier, during a bench trial in the Superior Court of New Jersey, Union County, Special Civil Part, following the successful cross-examination of the plaintiff.

Obtained summary judgment on behalf of the owner and property management company of a senior housing complex in a case in which the elevator car doors on one of the elevators in the building struck plaintiff as she was entering the elevator, resulting in personal injuries. The plaintiff alleged that our clients were negligent in allowing a hazardous condition to exist on the property. At the conclusion of discovery, we moved for summary judgment on liability, arguing the lack of any evidence of a defect or malfunction with respect to the elevator doors on the incident date, or alternatively, the lack of any actual or constructive notice of the alleged hazardous condition, if it even existed in the first place. The court (Monmouth County Superior Court) agreed, focusing on the lack of notice to the owner and property manager, and granted our motion for summary judgment dismissing all claims and cross-claims against our clients, with prejudice.

Obtained the dismissal of the plaintiff's personal injury action, which arose from a boating accident that occurred during a regatta that took place in the waters off of Little Egg Harbor in Beach Haven, New Jersey. At the time of the accident, the plaintiff was sixteen years old. The lawsuit was not commenced until more than three years after the accident. We filed a motion to dismiss the Complaint on the basis that it was barred by the three (3) year Uniform Statute of Limitations (46 U.S.C. § 30106 (formerly 46 U.S.C. § App'x 763a)) applicable to all maritime tort actions and was not subject to New Jersey's infant tolling statute. The United States District Court for the District of New Jersey agreed and granted our motion dismissing the plaintiff's Complaint.