

CHRISTOPHER B. BLOCK

SHAREHOLDER



AREAS OF PRACTICE

General Liability
Product Liability
Miscellaneous Professional Liability
Amusements, Sports & Recreation Liability
Hospitality & Liquor Liability
Insurance Agents & Brokers Liability
Real Estate E&O Liability

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ADMISSIONS

New Jersey

New York

U.S. District Court District of New Jersey

EDUCATION

Widener University School of Law
(J.D., 1996)

University of Pittsburgh (B.S.,
1993)

HONORS & AWARDS

Litigation Management Institute,
Graduate 2019 (CLMP)

Certified Claims Professional
(CCP), Claims and Litigation
Management Alliance (CLM)

OVERVIEW

Chris actively defends matters for a variety of clients from individuals to small businesspeople to medium sized and large insurance companies throughout New Jersey and New York. His practice includes matters involving premises liability, product liability, amusements, sports and recreation, construction accidents, automobile, condominium/community association law and dram shop/liquor liability. He also represents home inspectors and real estate agents involved in mold and other environmental claims. Chris defends professional malpractice matters brought against lawyers, real estate professionals, insurance agents and brokers, appraisers, architects and engineers. He has also defended a wide range of employment matters including the defense of gender and race claims.

Christopher has conducted over a dozen jury trials in state and federal venues in both New Jersey and New York, including most recently in Union and Morris counties in New Jersey. At trial he has litigated matters that range from complicated federally based legal malpractice claims to state court casualty cases.

In his career, Chris has defended product liability lawsuits brought against one of the nation's largest crane manufactures and freezer manufacturers. His representation extends to some the nation's largest insurance companies as well as a large brokerage firm.

Chris received his *juris doctor* from Widener University School of Law and a Bachelor of Science from the University of Pittsburgh. He is admitted to practice in New Jersey and New York.

THOUGHT LEADERSHIP

Guide to Expert Testimony in Malpractice Cases Against Real Estate Professionals

Roseland
Real Estate E&O Liability
October 21, 2019

On the Pulse...Culturally Speaking

Roseland
September 1, 2019

By Christopher E. Dougherty, Esq., Chairman of the Board of Directors Defense Digest, Vol. 25, No. 3, September 2019. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

ASSOCIATIONS & MEMBERSHIPS

New Jersey Bar Association

New York Bar Association

Professional Liability Defense Federation (PLDF), Director of Membership Development

Claims and Litigation Management Alliance (CLM)

YEAR JOINED

2012

CLASSES/SEMINARS TAUGHT

The Seven-Ten Split Mock Trial: Navigating Agent Errors & Omissions, The Annual Professional Insurance Agents (PIA) Conference, Atlantic City, New Jersey, June 2, 2024

Emerging Claims Against Home Inspectors, Marshall Dennehey Client Seminar, March 9, 2022

Casualty Claims Investigation, CLM Claims College School of Casualty Claims – Level 1, Virtual, 2021

Civil Litigation State of Affairs – The Impact of COVID-19 in Pennsylvania and New Jersey & What's Next, Marshall Dennehey Client Webinar, May, 2021

Casualty Claims Evaluation, CLM Claims College School of Casualty Claims – Level 1, Virtual, 2020

Anatomy of a Real Estate Transaction: How Actions of Participants Give Rise to Claims, Client Presentation, July, 2019

Defending Real Estate Agents, Title Agents and Home Inspectors, PLDF Annual Conference, New Orleans, LA, October, 2018

Expert Witnesses - Using New Jersey Court Rules To Your Advantage, National Business Institute, Newark, NJ, November 2015

Top Ten Ways to Keep Your PL Claims Professional Happy, PLDF Annual Conference and CLE/CEU Presentation, Washington, DC, September, 2014

Ethical Claim Negotiations, CEU Institute, Parsippany, NJ, January 2014

Primer on Claims and Risk Management Issues for Real Estate Agents and Home Inspectors, PLDF Annual Conference and CLE/CEU Presentation, Chicago, IL, October 2013

Liabilities and Obligations for Real Estate Professionals, Lorman Education Services, September 2012

PUBLICATIONS

"Guide To Expert Testimony in Malpractice Cases Against Real Estate Professionals," *New Jersey Law Journal*, October 21, 2019

"Playing Outside: NJ Landowners' Liability Act Protects Personal Injury Defendants," *New Jersey Law Journal*, September 18, 2014

RESULTS

Defense verdict for insurance producer after one-week jury trial

Insurance Agents & Brokers Liability

December 8, 2022

We obtained a defense verdict in a one-week trial in Hudson County, New Jersey, in a case where the plaintiff alleged the defendant insurance producer failed to alert the plaintiff of a policy renewal coming up and then failed to advise him that the policy had lapsed, and he had no insurance.

Summary judgment for bicycle accident defendant.

Premises & Retail Liability

November 10, 2022

We prevailed on a motion for summary judgment in favor of a project manager in a serious bicycle accident lawsuit. The plaintiff was thrown off his bike after striking a significant pothole in front of a building where our client performed work several years earlier. We successfully argued that the plaintiff's alleged attempts to connect our client with the existence of the pothole were far too attenuated to be of any assistance to a jury. Following oral argument the judge agreed and granted summary judgment.

Rock Climbing Liability Waiver Found Enforceable.

General Liability

April 11, 2019

We obtained summary judgment on behalf of a rock climbing center. The plaintiff, a certified climber, was injured when she fell from a 25-foot rock-climbing wall at our client's facility. After reaching the summit of the wall, she pushed off to begin repelling down, only to realize that she forgot to connect to the auto-belay system. She fell to the ground and fractured both ankles and underwent open reduction internal fixation surgery.

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict in a one week trial in Hudson County, New Jersey in a case where plaintiff alleged that the defendant insurance producer failed to alert plaintiff of a policy coming up for renewal and then failed to advise plaintiff that the policy had lapsed and that plaintiff had no insurance. The plaintiff claimed that defendant breached a duty of care in a claim for professional negligence. Due to the breadth of the insurance policy at issue, the claim against the defendant was for \$500,000. Christopher argued and was able to establish that any potential breach of contract or breach of a professional duty of care was not the proximate cause of plaintiff's damages. After an hour and fourteen minutes, the jury agreed and found that plaintiff could not establish a proximate cause between the alleged breach of a duty of care and plaintiff's damages.

Obtained summary judgment in Hudson County in favor of a project manager in a serious bicycle accident lawsuit. Plaintiff was thrown off his bike after striking a significant pothole in front of a building where our client performed work several years earlier. We successfully argued that plaintiff's alleged attempts to connect our client with the existence of the pothole were far too attenuated to be of any assistance to a jury. Following oral argument, Judge agreed and granted summary judgment.

Successfully won a motion to strike plaintiff's expert in a complicated New Jersey professional malpractice matter. In this case, following two rounds of briefing and two rounds of oral argument, the court agreed that plaintiff's expert's opinion was a net opinion and did not provide any substance or evidence of a lack of a duty of care.

Obtained a summary judgment on behalf of our client. The plaintiff was injured when she fell from a 25-foot rock-climbing wall at our client's facility. After reaching the summit of the wall, plaintiff, a certified climber, pushed off to begin repelling down, only to realize that she forgot to connect to the auto-belay system. She proceeded to fall to the ground and fractured both ankles for which she underwent open reduction internal fixation surgery. Plaintiff had previously visited the client's facility approximately 35 times and had executed a liability waiver on each occasion, including the date of the accident. We moved for summary judgment to dismiss plaintiff's Complaint based on the fact that the liability waiver was enforceable. Plaintiff argued that the liability waiver was only enforceable as to her claims of ordinary negligence and that the issue of whether the defendant was grossly negligent was a triable issue of fact. However, we successfully argued that no reasonable jury could find that the client was grossly negligent based on the client's testimony of the safety procedures, protocols and equipment in place at the rock-climbing gym. Accordingly, the Court granted our motion for summary judgment dismissing plaintiff's Complaint, in its entirety, against the client.

Successfully defended the manufacturer of a manlift in a wrongful death product liability claim where the plaintiff, the lift operator, was crushed in the lift.

Obtained a dismissal in a legal malpractice claim in federal district court of New York where fraud and damages in excess of \$8 million dollars were alleged.

Represented a national broker dealer in a New York Labor law claim where serious multiple bodily injuries were alleged. All claims were favorably resolved.

Negotiated stipulation of dismissal with prejudice without any monetary contribution in favor of large national crane company sued in a wrongful death matter. Plaintiff's widow claimed the crane malfunctioned causing a fatality.

Successfully resolved a claim against a real estate agent for failure to disclose a known conflict during dual representation including allegations of consumer fraud and forgery.