

MATTHEW S. SCHORR

ASSISTANT DIRECTOR, CASUALTY DEPARTMENT
SHAREHOLDER



AREAS OF PRACTICE

General Liability
Product Liability
Hospitality and Liquor Liability
Maritime Litigation
Insurance Services
Health Care Liability
Professional Liability
Premises and Retail Liability

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ADMISSIONS

New Jersey
1991

New York
1992

U.S. District Court District of
New Jersey

U.S. District Court Eastern
District of New York

U.S. District Court Northern
District of New York

U.S. District Court Southern
District of New York

U.S. Court of Appeals 3rd
Circuit

OVERVIEW

Matthew is the Assistant Director of the Casualty Department and a member of the firm's Board of Directors. Along with the Director, he is responsible for administrative oversight of the more than 225 lawyers who comprise the firm's largest legal department. Matthew is an experienced litigator with a broad legal background gained from working at specialized firms in New York and New Jersey, and he brings the perspective of having defended individuals, insurance companies, and major corporations in complex litigations within a variety of practice areas.

Matthew joined Marshall Dennehey Warner Coleman & Goggin as a shareholder and co-chair of the maritime litigation practice group in June of 2008. He and his litigation team routinely handle high-exposure cases in the fields of premises liability, product liability, restaurant/bar liability, marine, inland marine, construction accidents, automobile, insurance coverage, condominium/community association law, medical malpractice and subrogation.

Based upon his experience, skill, and effectiveness at trial, Matthew has been certified by the Supreme Court of New Jersey as a Civil Trial Attorney, an achievement attained by less than two percent of lawyers in New Jersey. He has 10 published opinions and has argued before the Supreme Court of New Jersey on multiple occasions. Matthew was also one of the first trial attorneys to participate in the pilot program that permitted jurors to question witnesses and was asked to lecture at the ATLA Boardwalk Seminar as the defense speaker on this topic.

In 1991, Matthew began his career at Donovan, Parry, Walsh & Repetto, a New York firm that pioneered maritime and insurance law, where he handled a variety of challenging matters involving Jones Act seaman claims, insurance coverage disputes, hull and cargo liability actions, consumer fraud, premises liability, subrogation, product liability, and various commercial cases. He also achieved the status as a

EDUCATION

Fordham University School of Law (J.D., 1991)

State University of New York at Albany (B.A., cum laude, 1988)

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.

Litigation Management Institute, Graduate 2013 (CLMP)

New Jersey Super Lawyer 2011

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.

ASSOCIATIONS & MEMBERSHIPS

Association of Trial Lawyers of America

Claims and Litigation Management Alliance (CLM)

New Jersey Bar Association

New York Bar Association

The Maritime Law Association of the United States

Trial Attorneys of New Jersey

Proctor in Admiralty. In 1996, Matthew joined the well-known medical malpractice defense firm of McDonough, Korn & Eichhorn, which went on to become McDonough, Korn, Eichhorn & Schorr subsequent to his ascension to partnership in 1999. During his 12 years with the firm, he managed and helped the firm develop maritime, insurance, community association law, and casualty practices. He also became a seasoned trial lawyer taking dozens of malpractice and casualty cases to trial with a success rate of approximately 95 percent.

Matthew graduated *cum laude* from the State University of New York at Albany in 1988 and received his *juris doctor* from Fordham Law School in 1991, where he was named a Leonard F. Manning Scholar. Matthew is admitted to the bars of New York and New Jersey.

THOUGHT LEADERSHIP

Five Marshall Dennehey Attorneys to Serve as Faculty at the CLM's 2016 Claims College

August 11, 2016

Attorneys James H. Cole, Andrew W. Davitt, Eric A. Fitzgerald, Edward J. McGinn, Jr. and Matthew S.

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Five Marshall Dennehey Attorneys to Serve as Faculty at CLM Claims College

August 24, 2015

Attorneys James H. Cole, Andrew W. Davitt, Eric A. Fitzgerald, Edward J. McGinn, Jr. and Matthew S.

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Marshall Dennehey Announces New Leadership of Casualty Department

January 5, 2015

Marshall Dennehey Warner Coleman & Goggin announced today that shareholders Howard P. Dvoskin and Matthew S. Schorr have been named Director and Assistant Director, respectively, of the firm's Casualty Department.

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Marshall Dennehey Attorneys to Serve as Faculty at CLM's 2014 Claims College

September 2, 2014

Marshall Dennehey shareholders Eric A. Fitzgerald, Andrew W. Davitt and Matthew S.

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On the Pulse...Marshall Dennehey's General Liability Practice Group - Jack (and Master!) of All Trades

Roseland

General Liability

September 4, 2018

Defense Digest, Vol. 24, No. 3, September 2018 By Matthew S. Schorr, Esq.*

Special Law Alert - NJ Supreme Court Reaffirms Limitations of "Mode of Operation" Doctrine

General Liability

October 1, 2015

The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

CLASSES/SEMINARS TAUGHT

Impact of Long Shore and New York Labor Law, the Jones Act and McBride Decision on Punitive Damages Under Maritime Law, Navigators Insurance Marine Department, April 2015

New Jersey Contractual Indemnity and Additional Insured Issues, Zurich Insurance, April 2015

Advanced Trial Strategies, National Business Institute, Newark, NJ, December 2014

Know Before You Go, CLM Claims College - Property School, Faculty, Philadelphia, PA, September 2014

Transportation Claims and Recovery, Travelers Insurance, April 2013

CLE Seminar: *Settlements and Releases*, June 5, 2009

RESULTS

Defense Takes the "Bloom" Off Maritime Lawsuit

Maritime Litigation

September 21, 2015

Won a defense verdict in a maritime case following a two-week trial in New Jersey. Our client, a stevedore company responsible for discharging cargo ships, had off-loaded telephone pole-sized pillars of solid steel, known as "blooms," from a ship at a marine terminal port and stacked them on the pier. The plaintiff was a supervisor for the port owner, whose company was responsible for subsequently loading the blooms by forklift onto trucks for delivery to the end user. During the truck loading process, the forklift operator and our client's "checker"

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict following a two-week trial in Camden County. Our insured, a stevedore company (responsible for discharging cargo ships), had offloaded telephone pole-sized pillars of solid steel, known as "blooms" from a ship at a marine terminal port and stacked them on the pier. The plaintiff was a supervisor for the port owner, whose company was responsible for subsequently loading the blooms by forklift onto trucks for delivery to the end-user.

During the truck loading process, the forklift operator and our insured's "checker" (responsible for insuring that the correct inventory was being loaded and shipped) experienced difficulty loading the last of 3 blooms onto a truck. The plaintiff, as supervisor of the forklift operator, stopped to assist. While attempting a routine repositioning procedure, the bloom, which weighed approximately 7 tons, inadvertently rolled off the forklift blades, crushing the plaintiff's right leg and necessitating an above-the-knee amputation.

The plaintiff alleged that the accident and injury resulted from our client's negligence with improperly stacking the blooms after discharge, as well as the checker's involvement during the repositioning procedure. The plaintiff's demand was \$3.5 million. Following a two week trial, and into a second day of deliberations, the jury ultimately concluded that any negligence of our client did not proximately cause the accident, but rather the accident was caused by the conduct of the forklift operator and the plaintiff himself. A defense verdict was returned.

Obtained a defense verdict following a 1 month trial where the plaintiff, a 47 year old female periodontist, alleged that she sustained a career-ending injury, resulting in total disability, when she was struck by a deteriorated section of a wood privacy fence at the insured's condominium complex where she lived. The plaintiff underwent anterior & posterior lumbar spinal fusion surgery 3 months after the accident and then sold her practice 3 months later. She had been earning approximately \$200,000 annually. The plaintiff rejected a \$2 million settlement offer (which had been extended to protect an excess layer) on the last day of trial, holding firm on a \$7 million demand.

Obtained a defense verdict following a jury trial in Federal District Court on a Maritime Jones Act Seaman claim. The plaintiff, a commercial fisherman, suffered a crushed hand injury while lowering clam cages. The defense successfully maintained that the vessel was seaworthy and that the accident was caused by the claimant's own negligence.

Obtained a defense verdict following a jury trial on behalf of two surgeons in a medical malpractice case alleging negligence during a laparoscopic gall bladder removal surgery in which the common bile duct was inadvertently transected. The plaintiff required additional surgery and suffered a difficult post-operative course as well as alleged permanent liver damage. The jury accepted the defense argument that aberrant anatomy led to this accepted complication.

Obtained a defense verdict following a jury trial on behalf of NY Waterway. The plaintiff fell on a ramp while entering a ferry boat, suffering a fractured knee that required surgical repair. The plaintiff alleged that the ramp on which she fell was negligently designed. The defense used as its liability expert Tom Blomquist, US Coast Guard (Ret.). Capt. Blomquist had served as the Commanding Officer of the US Coast Guard Marine Inspection Office, Philadelphia, Pa., and convincingly testified that the ramp was in compliance with all applicable Coast Guard and maritime related regulations. The jury apparently liked or sympathized with the plaintiff as it returned a question during deliberations, asking if it could award monetary damages in the absence of any adverse finding against the defendant. After the judge instructed the jury that it could not, the jury returned its verdict in favor of the defense.

Obtained a defense verdict following a jury trial on behalf of a surgeon in a medical malpractice case. The plaintiff suffered a puncture of the aorta during a laparoscopic gall bladder surgery. The plaintiff was pregnant at the time and the fetus died. The jury accepted the defense argument that inadvertent vascular injury was a rare but recognized complication of the procedure.

Obtained a defense verdict following a jury trial in a premises liability action against a condominium complex. The plaintiff claimed that she fell on ice on a sidewalk following a snow storm. She suffered a fractured shoulder that required surgical repair. Matthew was successful not only in obtaining a defense verdict on behalf of the condominium Association as to the plaintiff, but was also successful in pursuing a cross claim for defense and indemnity against the codefendant snow contractor. The client was awarded all legal costs incurred in having defended the suit, plus interest and fees.

