

## ASHLEY L. TOTH

SHAREHOLDER



### AREAS OF PRACTICE

Miscellaneous Professional Liability  
Employment Law  
Public Entity & Civil Rights Litigation  
Insurance Services – Coverage & Bad Faith  
Litigation

### CONTACT INFO

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### ADMISSIONS

New Jersey  
2009

Pennsylvania  
2009

### EDUCATION

Rutgers, The State University of  
New Jersey School of Law-  
Camden (J.D., 2009)

Monmouth University (B.S., magna  
cum laude, 2006)

### HONORS & AWARDS

Reed Smith Award for Clinical  
Excellence, 2009

### ASSOCIATIONS & MEMBERSHIPS

Camden County Bar Association

### YEAR JOINED

2009

### OVERVIEW

Ashley is a member of the Professional Liability Department where she focuses her practice on the defense of public and private entities in the areas of employment law and civil rights.

Ashley has successfully defended State and local governments, school districts, police departments and private employers in litigation involving civil rights, harassment/discrimination, and whistleblowing violations. In addition, Ashley works with employers on a consulting basis to avoid liability by establishing appropriate employment policies and procedures and investigates internal EEO complaints.

Ashley also has significant experience representing public entities and private entities in matters involving the Fair Housing Act and American with Disabilities Act in federal and state courts and agencies as well as in the Division on Civil Rights and EEOC. She has represented various entities including Homeowners' Associations in reasonable accommodation and disability discrimination cases and has provided lectures at several seminars concerning the ADA and reasonable accommodation and the use of service animals.

Ashley graduated *magna cum laude* from Monmouth University in 2006 with a major in Finance and minor in Spanish. She began working with Marshall Dennehey in 2008 while attending law school at Rutgers University School of Law-Camden. Ashley graduated Rutgers School of Law in 2009, with high honors.

## THOUGHT LEADERSHIP

### Best Practices for Service Animals in the Workplace

Mount Laurel  
Employment Law  
March 12, 2024

### The ADA & Service Animals

Mount Laurel  
Public Entity & Civil Rights Litigation  
September 22, 2023

As a place of public accommodation, you may face questions concerning the use of service animals in your establishment.

### After nine years, whistleblower lawsuit settles.

Mount Laurel  
Public Entity & Civil Rights Litigation  
April 1, 2021

The borough of Wildwood Crest reached a settlement agreement in a lawsuit filed by Sgt. Thomas Hunt and his wife, Barbara Hunt. Case Law Alerts, 2nd Quarter, April 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of int

### Defendants/third-party plaintiffs filing tort claims against public entities must serve a notice of claim within 90 days of the date on which the cause of action accrues.

Mount Laurel  
Public Entity & Civil Rights Litigation  
April 1, 2021

The court found that N.J.S.A. Case Law Alerts, 2nd Quarter, April 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent developments of int

### How Changing Cannabis Laws Are Affecting HR Policies in New Jersey

Mount Laurel  
Employment Law  
March 22, 2021

### CLASSES/SEMINARS TAUGHT

*Annual Anti-Discrimination and Harassment Training*, Marshall Dennehey Client Webinar, May 18, 2023

*Employment Law Seminar*, NJAA East Coast Expo, February 19, 2020

*Employment Law Ethics Panel*, NJAJ Boardwalk Seminar 2017, Atlantic City, NJ, April 2017

*Navigating OSHA's New Rule on Injury and Illness Reporting & Anti-Retaliation*, Human Resource Association of Southern New Jersey, Vineland, NJ, October 20, 2016

*Social Media Issues in Employment: Mock Trial Panelist*, presented to client group, Philadelphia, PA - May 2014

*The New Jersey Tort Claims Act*: Presented to insurance broker group for a global insurance carrier, New York, NY - February 2014

Co-presented: *the Tri-Partite Relationship and Coverage Issues*: Presented to insurance broker group for a global insurance carrier, New York, NY - November 2013

*Anti-Discrimination Law in New Jersey: Risks, Responsibilities and Developments "What you need to know"* - Client seminar, May 2013

Co-presented: *New Anti-Bullying Laws in New Jersey, and How They Affect School Districts and Liability Under the NJLAD*. Presented to claims professionals for a global insurance carrier, New York, NY - October 2012

## PUBLISHED WORKS

"Best Practices for Service Animals in the Workplace," *New Jersey Law Journal*, March 12, 2024

"How Changing Cannabis Laws are Affecting HR Policies in New Jersey", *New Jersey Defense*, Spring 2021

"Post-Accident Drug Testing under OSHA's New Rule," *Defense Digest*, Vol. 23, No. 2, June 2017

"Can Employers Contractually Limit an Employee's Statute of Limitations? The Effect of Employment Contracts in New Jersey," *Defense Digest*, Vol. 22, No. 2, June 2016

*Case Law Alerts*, regular contributor, 2013-present

## RESULTS

### New Jersey State University Successfully Defended in an Employment Discrimination Case

#### **Employment Law**

**February 8, 2024**

We obtained a "no cause" verdict in an employment discrimination case for a New Jersey state university. The plaintiff, seeking back pay, front pay, emotional distress, attorney fees, punitive damages and costs, alleged she was terminated from her position as director of the university's performing arts center due to her age, gender and/or in retaliation for reporting internal complaints of age/gender discrimination.

### Defense verdict in Section 1983 malicious prosecution jury trial.

#### **Public Entity & Civil Rights Litigation**

**November 1, 2022**

We obtained a defense verdict in the U.S. District Court for the Eastern District of Pennsylvania in a Section 1983 malicious prosecution case. The plaintiff alleged that city narcotics officers planted drugs and stole money from her and then falsely charged her with possession and possession with intent to distribute crack cocaine. The criminal charges against her were dismissed following a Post Conviction Relief Act hearing.