

## NICHOLAS P. CHRYSANTHEM

SHAREHOLDER



### AREAS OF PRACTICE

Lawyers' Professional Liability  
Disciplinary Board Representation  
Employment Law  
Commercial Litigation  
Miscellaneous Professional Liability  
Non-Profit D&O  
Catastrophic Claims Litigation

### CONTACT INFO

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### ADMISSIONS

New York  
1989

New Jersey  
1988

U.S. District Court Southern  
District of New York

U.S. District Court Eastern District  
of New York

U.S. District Court District of New  
Jersey

U.S. Court of Appeals 2nd Circuit

### EDUCATION

Fordham University School of Law  
(J.D., 1988)

Iona College (B.A., 1982)

### OVERVIEW

Nicholas is a member of the Professional Liability Department where his practice is focused on the representation of law firms, attorneys, and employers in state and federal courts.

An experienced trial attorney and litigator for over 30 years, Nicholas defends clients in matters involving legal malpractice, employment litigation, real estate litigation, complex commercial litigation, ADA public accommodation and ADA class action litigation. Nicholas has experience practicing before the New York State Division of Human Rights and the New York City Human Rights Commission. He has also been retained by clients to consult on risk avoidance matters and as a trial expert. Nicholas has lectured on evidence and trial practice at various continuing legal education seminars.

Nicholas has significant experience defending owners and contractors in actions arising out of New York Labor Law and New York Industrial Code violations. His experience in litigating commercial and tort disputes provides clients with the ability to understand a variety of underlying matters that are often the basis of legal malpractice actions.

Nicholas graduated with his Bachelor of Arts in Communication Arts from Iona College in 1982. In 1988, he earned his *juris doctor* from Fordham University School of Law and received the American Jurisprudence Award in Torts.

Prior to joining Marshall Dennehey, Nicholas was a member of a New York firm where he focused his practice on the defense of law firms and attorneys in legal malpractice actions, commercial and corporate litigation, and cases brought under New York's Labor Law.

### HONORS & AWARDS

New York Metro Super Lawyers  
2021-2023

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## ASSOCIATIONS & MEMBERSHIPS

American Bar Association, Trial Evidence Committee; Employment Law Section; Tort Trial and Insurance Practice Section; and Section of Litigation

DRI, Employment and Labor Law Section, Professional Liability Section, and Commercial Litigation Section

New York State Bar Association, Law Practice Management Committee 2013-Present, Labor and Employment Law Section

New York Trial Notebook Editorial Advisory Board, 2005

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## YEAR JOINED

2015

## THOUGHT LEADERSHIP

### Marshall Dennehey Announces 2023 New York Metro Super Lawyers and Rising Stars

September 22, 2023

Seven attorneys from Marshall Dennehey's New York City, Westchester County, and Long Island offices have been selected to the 2023 edition of New York Metro Super Lawyers magazine.

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### Marshall Dennehey Announces 2022 New York Metro Super Lawyers and Rising Stars

October 3, 2022

Six attorneys from Marshall Dennehey's New York City, Westchester County, and Long Island offices have been selected to the 2022 edition of New York Metro Super Lawyers magazine.

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### Breach of Contract Cause of Action Dismissed as Duplicative of Legal Malpractice Claim.

**New York  
Lawyers' Professional Liability  
May 16, 2022**

In the underlying matter, the plaintiff, a police officer employed by the Metropolitan Transit Authority (MTA), asserted two claims under the Federal Employers' Liability Act (45 U.S.C. § 51 et seq.). Legal Update for Lawyers' Professional Liability – May 2022 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

### Malpractice Case Against Guardian Ad Litem Dismissed Based on Immunity

**New York  
Lawyers' Professional Liability  
May 16, 2022**

A legal malpractice action was brought against the defendant, the court-appointed attorney for a minor child in a custody proceeding. Legal Update for Lawyers' Professional Liability – May 2022 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

### Negligent Infliction of Emotional Distress and Breach of Fiduciary Duty Claims Dismissed

**New York  
Lawyers' Professional Liability  
May 16, 2022**

The plaintiff, a property seller, commenced this action on the grounds that the defendant, his attorney, failed to provide proper legal representation with respect to his sale of real property. Legal Update for Lawyers' Professional Liability – May 2022 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

## CLASSES/SEMINARS TAUGHT

*Professional Responsibility*, Columbia University School of Law, Guest Speaker, June 2021

*Employment Law Seminar*, ACEC, Albany, New York, Presenter, January 2019

*Legal Malpractice: How to Avoid it, What to do If You Can't*, Lecturer

*Legal Malpractice and Ethics*, Brooklyn Law School, Solo Practice Seminar, Lecturer

*ESI For Dummies, What Every Legal Team Should Know, The Lawyers Guide to ESI Forensics 101*, New York State Bar Association, Moderator

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained defense verdict after jury trial in U.S. Dist. Court, S.D.N.Y in the matter of Flushing Bank v. AGCS Marine Insurance Company, 16-CV-2638 (RJS) in breach of contract action arising out of a claim by a loss payee.

Obtained Multiple "No Probable Cause" determinations from New York State Division of Human Rights in favor of Employer-Clients

Obtained favorable resolutions of Federal ADA Class Action lawsuits

Obtained pre-answer dismissal of adversary proceeding against law firm-client arising out of underlying bankruptcy proceeding

Obtained a defense verdict after a five-day jury trial in a legal malpractice action arising out of an underlying divorce case

Obtained reversal of a denial of summary judgment from the New York Appellate Division, Second Department in a legal malpractice action

Obtained voluntary dismissal with prejudice of action against attorneys based on underlying commercial real estate matter

Obtained favorable result in complex software copyright infringement case

Obtained reversal of a decision re-instating a lead poisoning case after dismissal from the New York Appellate Division, Second Department

Obtained favorable settlement including millions of dollars' worth of real estate in connection with resolution of complex shareholder litigation