McElroy Deutsch

Daniel J. Cogan



Partner

dcogan@mdmc-law.com

Morristown, NJ

P: 973-401-7145

F: 973-425-0161

Download V-Card

Curriculum Vitae

DANIEL J. COGAN is a Partner in the Firm's Construction, Fidelity & Surety Practice Group. He concentrates his practice in the areas of construction law, surety and fidelity coverage litigation, as well as the representation of design professionals and real estate developers.

Mr. Cogan has a diverse background, having worked both as a litigator in private practice for over twenty years, as well as serving as general counsel for a New York-based, international real estate development firm for seven years prior to joining McElroy Deutsch. He has litigated claims on behalf of design professionals in the Superior Court of New Jersey and in matters before the American Arbitration Association and has argued on behalf of design professionals before the New Jersey Supreme Court. He also has extensive experience mediating complex construction matters to successful resolution. In addition to his litigation practice, Mr. Cogan also assists professional clients in contract preparation and review on all manner of construction projects and has presented numerous seminars to the design professional community on the use of AIA form contracts.

Mr. Cogan is a member of the Claims & Litigation Management Alliance, as well as the Federalist Society for Law & Public Policy Studies.

He is admitted to practice in the State of New Jersey and in U.S. District Court, District of New Jersey.

Mr. Cogan is a 1992 graduate of Seton Hall University School of Law, where he was a member of the Journal of Sport Law. He received his B.A. from The Catholic University of America in 1989.

Awards

- Listed in Best Lawyers® (2027), a Woodward/White, Inc. business and partners with U.S. News & World Report, in the area of Construction Law. A description of the standard or methodology on which the accolade is based can be found HERE (No aspect of the advertisement has been approved by the Supreme Court).
- Martindale-Hubbell AV Preeminent Rated (2026) - Martindale-Hubbell's highest peer rating standard. This is given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers. A description of the standard or methodology on which the accolade is based can be found HERE (No aspect of the advertisement has been approved by the Supreme Court).
- Listed in Super Lawyers® Rising Stars (2006), a Thomson Reuters business, in the areas of Construction Litigation: Business, Professional Liability: Defense, and General Litigation. A description of the standard or methodology on which the accolade is based can be found HERE (No aspect of the advertisement has been approved by the Supreme Court).

Representative Cases

Results may vary depending on your particular facts and legal circumstances.

Daidone v. Buterick Bulkheading, et al. (OCN-L-1607-04) involved claims of deficient construction and design errors, each of which were filed outside of the 10-year period for claims set forth in the NJ Statute of Repose. Summary judgment was granted at the trial level and was ultimately affirmed by the New Jersey Supreme Court, resulting in a leading case establishing a bright line for repose from liability for contractors and design professionals once their work on a project is completed and ten years have passed. See 191 N.J. 557 (2007).

Lopez v. B & J Craftsmen, Inc., et al. (OCN-L-3499-04) also involved claims of deficient construction and design errors, which were likewise filed outside of the 10-year period for claims set forth in the NJ Statute of Repose. Summary judgment was granted at the trial level and was ultimately affirmed by the New Jersey Appellate Division in an unreported decision (A-4946-06T2).

Welcome v. Just Apartments, et al. (ESX-L-9821-01) involved a gas explosion and resulting personal injuries which occurred during a high rise residential construction project. Summary judgment was granted at the trial level and, upon remand from Appellate Division for additional expert discovery (A-

2519-06T2), the matter was settled at mediation on favorable terms.

Timber Falls Foundation v. Lehr Associates (AAA arbitration) was a complex construction defect/design error claim related to the renovation of mixed use brownstone in Gramercy Park that was settled on favorable terms immediately prior to the commencement of hearings.

Hartford Fire Insurance Co. v. Montville BOE/USA Architects (MRS-L-991-07) involved the defense of claims of professional negligence in connection with a school construction project. The matter was defended successfully and resulted in a judgment on the architect's counterclaim against the school board.

Greczyn v. Colgate Palmolive, 183 N.J. 5 (2005), He was co-counsel before this matter for the New Jersey Supreme Court, which clarified the standards for the use of fictitious party practice in connection with a complaint filed against a design professional outside of the ten-year Statute of Repose.

Industries

Construction
Insurance
Real Estate

Practices

Construction
Fidelity
Insurance Coverage
Litigation
Professional Liability
Real Estate
Surety

Education

Seton Hall Law School (J.D. 1992)
Catholic University of America (B.A. 1989)

Admissions

State of New Jersey
U.S. District Court, District of New Jersey

Memberships

Claims & Litigation Management Alliance

Federalist Society for Law & Public Policy Studies