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David J. Reilly



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Curriculum Vitae

DAVID J. REILLY focuses his practice upon the representation of management in labor and employment matters. He regularly counsels employers on a wide array of labor and employment matters, including employee performance, discipline and termination issues, disability discrimination and reasonable accommodation, harassment, discrimination, retaliation and whistleblowing claims, family leave and other benefits issues, wage and hour issues, union grievances, collective bargaining negotiations, and employer handbooks and policies. Mr. Reilly has extensive experience counseling management on reductions in force and other company restructurings, including selection processes, Worker Adjustment and Retraining Notification (WARN) Act, disparate impact, severance and Older Workers Benefit Protection Act (OWBPA) issues.

Mr. Reilly brings his employment law expertise to the firm's M&A practice group to assist clients engaged in corporate acquisitions, sales and mergers with the employment law and employee benefits aspects of the transaction as well as due diligence review.

Mr. Reilly also is an experienced and well-respected litigator, and has successfully defended employers in numerous state and federal court actions, agency proceedings, arbitrations and mediations, including employment discrimination, wrongful discharge, breach of contract, and employee benefits claims, as well as ancillary tort claims such as defamation and intentional infliction

of emotional distress.

Mr. Reilly received his Bachelor of Science degree from Boston University in 1981 and his Juris Doctorate, summa cum laude, from Seton Hall University School of Law in 1988. In law school, he served as Survey Editor of the Seton Hall Law Review from 1987-1988, and he was winner of and had the Best Petitioners Brief at the Appellate Moot Court Competition in 1987.

Mr. Reilly is the co-author of *Employment by the Book in New Jersey: Woolley and Its Progeny*, 22 Seton Hall Law Review 814. His other publications include *Murder Inc.: The Criminal Liability of Corporations for Homicide*, 18 Seton Hall Law Review 378; and *Another Trap for the Unwary: The Right of Non-Union Employees to Co-Worker Representation During Investigatory Interviews*, 9 The Metropolitan Corporate Counsel no.11, November 2001, which he also co-authored.

Mr. Reilly is a member of the American Bar Association, the New Jersey and New York State Bar Associations, the Essex County Bar Association, and The Association of the Federal Bar of the State of New Jersey. He is also a member of the Executive Committee of the New Jersey State Bar Labor and Employment Law Section. He is also a Master of the Bench of the Sidney Reitman Employment Law American Inn of Court, and is a Past Chair of its Program Committee. He is also a member of the Society for Human Resources Management.

Mr. Reilly is admitted to the bars of the states of New Jersey and New York, the United States Courts of Appeals for the Second and Third Circuits, and the United States District Courts for the District of New Jersey, the Southern, Eastern, Western and Northern Districts of New York, and the Eastern District of Michigan.

Cases

Results may vary depending on your particular facts and legal circumstances

Ingraham v. Ortho-McNeil Pharmaceutical,
422 N.J. Super. 12 (App. Div. 2011)

Wirth v. Telcordia Technologies, Inc.,
247 Fed. Appx. 366 (3d Cir. 2007)

Kohn v. AT&T Corp.,
1999 U.S. Dist. LEXIS 11473 (D.N.J. 1999)

Shevack v. Litton Applied Technology.,
1999 U.S. Dist. LEXIS 6109 (S.D.N.Y. 1999)

Gaul v. Lucent Technologies,
134 F.3d 576 (3d. Cir. 1998)

Ferraro v. Bell Atlantic Co,
2 F. Supp. 2d 577 (D.N.J. 1998)

Ferraro v. Bell Atlantic Co.,
955 F. Supp. 354 (D.N.J. 1997)

Pitak v. Bell Atlantic Network Svcs.,
928 F. Supp. 1354 (D.N.J. 1996)

Worthy v American Tel. & Tel. Co.,
217 A.D.2d 581, 628 N.Y.S.2d 604 (2d. Dept. 1995)

Orso v. ITT Corp.,
1991 U.S. Dist. LEXIS 6633 (D.N.J. 1991)

Devries v. McNeil Consumer Prods. Co.,
250 N.J. Super. 159, 593 A.2d 819 (App. Div. 1991)

GAF Corp v. Poole,
715 F. Supp. 1212 (S.D.N.Y. 1989)

Awards

- Martindale-Hubbell AV Preeminent Rated (2024) - 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).

Industries

Corporate
Health Care Institutions
Pharmaceutical, Medical Devices & Life Sciences

Practices

Appellate Practice
Labor & Employment
Litigation

Education

Boston University (B.S. 1981)
Seton Hall Law School (J.D. summa cum laude 1988)

Admissions

State of New Jersey
State of New York
U.S. District Court, District of New Jersey
U.S. District Court, SDNY
U.S. District Court, EDNY
U.S. District Court, NDNY
U.S. District Court, EDMI
U.S. Court of Appeals, 3rd Circuit
U.S. Court of Appeals, 2nd Circuit
U.S. District Court, WDNY

Memberships

New York State Bar Association
New Jersey State Bar Association
Association of the Federal Bar of New Jersey
Bergen County Bar Association
Essex County Bar Association
Sidney Reitman American Inn of Court
Society for Human Resource Management