



## Cynthia V. Fitzgerald

Of Counsel

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Cynthia V. Fitzgerald concentrates her practice on general liability defense and complex commercial litigation with a concentration in construction defect litigation, construction site accidents, premises and products liability. Ms. Fitzgerald specializes in the defense of commercial construction companies, property owners, contractors and other professionals. She has successfully handled numerous multi-million dollar claims against clients on commercial and residential construction projects. Prior to joining O'Toole Scrivo, she was with an Am Law 100 firm in Manhattan focusing on complex commercial litigation and class action defense.

### Notable Representations

- Obtained favorable settlement on behalf of general contractor in Laidlow suit
- Successful in obtaining dismissal of \$7 million claim against commercial printer arising out of counterfeit ferry ticket scheme in Monmouth County
- Successful in obtaining dismissal of a class action seeking to undo hundreds of structured settlements in Hudson County alleging insurance carrier coercion
- Obtained favorable settlement of multi-million dollar claim alleging fraud in a corporation's special services agreements with school district
- Successful in obtaining dismissal of a class action suit in Camden County seeking damages against various insurance companies under automobile insurance policies
- Obtained defense verdict in products liability action for tank truck manufacturer with significant damages
- Invalidated fraudulent Will, in summary proceedings, obtained by political organization by duress
- Obtained defense verdict on a multi-million dollar products liability claim after six week jury trial in federal court
- Horizon Health Center v. Felicissimo, 263 N.J. Super. 200 (App. Div. 1993)
- Horizon Health Center v. Felicissimo, 135 N.J. 126 (1994)
- Horizon Health Center v. Felicissimo, 282 N.J. Super. 323 (App. Div. 1995)
- Horizon Health Center v. Felicissimo, 317 N.J. Super. 521 (App. Div. 1999)
- Total Containment v. Dayco Prods., 2001 WL 1167506 (E.D. Pa. Sept. 6, 2001)

- Total Containment v. Dayco Prods., 177 F. Supp.2d 332 (E.D. Pa. 2001)
- Edwards v. Prudential, 357 N.J. Super. 196 (App. Div. 2003)

**Practice Areas**

Appellate, Class Actions, Complex Litigation, Construction, Environmental, Insurance & Reinsurance, Product Liability, Toxic and Mass Tort

**Admissions**

- State of New Jersey
- U.S. District Court, District of New Jersey
- U.S. Court of Appeals, 3rd Circuit

**Education**

- Seton Hall University School of Law (J.D.)
- Ursinus College (B.A., English, honors)
- University of London, Richmond College