



Joshua S. Lichtenstein

Partner

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Mr. Lichtenstein has nearly 25 years of litigation experience. Mr. Lichtenstein's practice focuses on toxic tort litigation. He represents businesses in high-stakes litigation and has significant trial experience. Mr. Lichtenstein has served as first chair or second chair trial counsel in five toxic tort actions during the past 2 ½ years. He is currently responsible for primary handling of complex asbestos and talc product liability actions pending in New Jersey and New York, including full trial preparation of numerous mesothelioma actions. Mr. Lichtenstein frequently coordinates preparation of defenses in mass tort actions directly with corporate clients and NCC, and he is the firm's primary liaison with expert witnesses in toxic tort actions.

Following law school, Mr. Lichtenstein served as a law clerk to the Honorable Herman L. Brietkopf, A.J.S.C., Superior Court of New Jersey, Middlesex County. Prior to joining the firm, he was the owner of his own practice located in Roseland, N.J., where he focused on labor and employment, professional liability, and Section 1983 actions.

Notable Representations

- Second-chaired trial in August and September 2015 on behalf of major corporate client in product liability action involving cosmetic talcum powder, and presented winning arguments on several significant trial issues.
- Second-chaired July 2014 trial of mesothelioma action in New York Supreme Court that resulted in mid-trial favorable settlement for client. Obtained landmark ruling from trial judge that Parker v. Mobil Oil hearing was necessary to evaluate bases and methodology of plaintiff's expert's opinion that low-level exposures to chrysotile asbestos substantially contributed to decedent's mesothelioma.
- Worked closely with national trial counsel in 2012 trial of living mesothelioma action that concluded with total defense verdict on behalf of seller of industrial talc. Presented winning arguments on several significant trial issues, including collateral estoppel and jury instruction disputes.
- Obtained landmark ruling from New Jersey Mass Tort Judge re: admissibility of answers to

interrogatories of settled co-defendants as statements against interest pursuant to N.J.R.E. 803(c)(25).

- Substantially assisted firm partners in successful prosecution of NJ LAD claim involving post-employment retaliation theory of liability; developed arguments that successfully defeated adversary's effort to have dispute litigated in Pennsylvania federal court, and that led to significant fee-shifting award.

Speaking Engagements

- Perrin Conference; New Jersey Asbestos Litigation; February 2016

Publications

- Co-Author, Chapter 13 of 2015 New Jersey Mass Torts & Class Action Treatise, entitled "Claims for Contribution and Indemnification, and Governing Apportionment of Fault Principles in New Jersey Mass Tort Litigation."
- Note, *Abbott v. Burke*: Reaffirming New Jersey's Constitutional Commitment to Equal Educational Opportunity, 20 Hofstra L. Rev. 429 (1991).

Practice Areas

Construction, Labor & Employment, Product Liability, Toxic and Mass Tort

Admissions

- State of New Jersey
- State of New York

Education

- Hofstra University School of Law (J.D.)
- The University of Michigan, Ann Arbor (B.A. in English)