

## SARA W. MAZZOLLA

SHAREHOLDER



### AREAS OF PRACTICE

General Liability  
Amusements, Sports & Recreation Liability  
Automobile Liability  
Miscellaneous Professional Liability

### CONTACT INFO

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### ADMISSIONS

New Jersey  
2012

U.S. District Court District of New  
Jersey  
2012

New York  
2013

### EDUCATION

Seton Hall University School of  
Law (J.D., 2012)

Drew University (B.A., 2002)

### HONORS & AWARDS

New Jersey Super Lawyers Rising  
Star  
2021-2022

*The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

### OVERVIEW

As a shareholder in our Casualty Department, Sara actively defends matters involving premises liability, amusements, sports and recreation, construction, automobile, and condominium/community association law. Sara also defends professional liability claims involving sports coaches and real estate professionals.

In her career, Sara has defended Fortune 500 retailers, restaurant businesses, and major hospital networks in New Jersey premises liability actions. Sara routinely represents sports facilities, World and Olympic coaches, athletes, sports teams, and contractors in a wide array of matters.

Through her extensive background in the sport of figure skating, Sara provides a unique perspective to the defense of her sports-related clients. Sara is known for her dedication and consistency in achieving successful results for her clients. She is a former U.S. International Figure Skating Team Competitor, two-time U.S. National Figure Skating Championship Medalist (including winning a National Championship) and World Junior Team Member. Attributing many of her good qualities to her high level and successful participation in sports, Sara enjoys being a role model to young athletes and working with athletes to achieve their goals.

Sara received her *juris doctor* from Seton Hall University School of Law, where she defended juveniles through her work with the Seton Hall Law, Center for Social Justice, Juvenile Justice Law Clinic. During her time at Seton Hall Law, Sara externed for Judge Edwin H. Stern (on temporary assignment with the New Jersey Supreme Court) and Justice Virginia Long, and drafted memoranda on petitions for certification.

In conjunction with a pro bono organization, Partners for Women and Justice, Sara has successfully represented domestic violence victims in obtaining final restraining orders in New Jersey family court.

Sara is licensed to practice in New Jersey and New York.

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## ASSOCIATIONS & MEMBERSHIPS

American Bar Association

Defense Research Institute  
(Trucking Law)

Essex County Bar Association

Morris County Bar Association

New Jersey State Bar Association

New York State Bar Association

Partners for Women and Justice

Professional Skaters' Association

United States Figure Skating  
(Former Athletes Advisory  
Committee Member)

The International Amusement &  
Leisure Defense Association  
(IALDA), Board Member

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## YEAR JOINED

2017

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## PRO BONO

Partners For Women In Justice

## THOUGHT LEADERSHIP

### Appellate Court Affirmed Trial Court's Decision to Grant Summary Judgment to Defendants as to Plaintiff's Theories of Liability Under New Jersey's Title 59 and Private Negligence.

**Roseland**  
**Amusements, Sports & Recreation Liability**  
**January 1, 2024**

The plaintiff was "going for a double" in a men's softball game when he fractured his ankle as he attempted to slide to second base and his cleated foot caught in a six-foot ripped seam and divot in the artificial turf. Case Law Alerts, 1st Quarter, January 2024 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### The Stand-Alone, Small Link to the Terms and Conditions Page of Defendant's Website Did Not Suffice to Waive the Plaintiff's Constitutional Rights

**Philadelphia - Headquarters**  
**Amusements, Sports & Recreation Liability**  
**January 1, 2024**

### 11th Circuit Court of Appeals Vacates Ruling Against Plaintiff in Amusement Park Discrimination Case

**Roseland**  
**Amusements, Sports & Recreation Liability**  
**October 1, 2023**

In this case, the plaintiff argued that the amusement park imposed discriminatory eligibility criterion, in violation of the ADA, when it refused to permit him to ride on the Krakatau Aqua Coaster as he presented with only one hand, but no prosthesis. Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### The stand-alone, small link to the Terms and Conditions page of defendant's website did not suffice to waive the plaintiff's constitutional rights.

**Roseland**  
**Amusements, Sports & Recreation Liability**  
**July 1, 2023**

The plaintiff signed a membership agreement that did not contain an arbitration provision. The defendant gym's website contained a small link to its Terms and Conditions, which contained an arbitration clause. Case Law Alerts, 3rd Quarter, July 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### The court found that the plaintiff had no triable issue of material fact to support a claim of gross negligence against the defendant fitness facility.

**Roseland**  
**Amusements, Sports & Recreation Liability**  
**January 1, 2023**

The plaintiff claimed she burnt her arm on a heating element within a sauna when she tripped and fell due to poor lighting. Case Law Alerts, 1st Quarter, January 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

## PUBLISHED WORKS

"Negotiating The Call: What the Americans with Disabilities Act May Demonstrate as Trends in Finding the Line Between Equal Participation and Safety", The Sports Bulletin 3rd Edition, Insurance Law Global, August 2024

It's Only Fun Until Someone Gets Hurt: Emerging Risks in Amusements, Sports and Entertainment, AM Best Insurance Law Podcast, October 2021

## CLASSES/SEMINARS TAUGHT

*Risk Management, Risk Shifting, & Corporate Formalities*, NAFDMA International Agritourism Association, Webinar, July 11, 2024

*Annual Anti-Discrimination and Harassment Training*, Marshall Dennehey Client Webinar, May 18, 2023

## RESULTS

### Summary Judgment Won in a Dog Bite Case in New Jersey

#### **General Liability** **March 1, 2024**

We secured summary judgment in a general liability case involving a dog bite. The plaintiff alleged a laceration to the face from a dog bite. The dog was owned by a co-defendant, not by our client, the landlord of the property where the bite occurred. There were no issues of material fact or proof to support a theory of liability under strict or ordinary negligence, and no behavioral signs of aggression were observed by the plaintiff or the property owner's son who hosted the party where the plaintiff was bitten.

### Summary judgment for national concert promoter.

#### **Premises & Retail Liability** **February 9, 2021**

We obtained summary judgment for a national concert promoter and public entity venue owner. The plaintiff purchased outdoor lawn seats for a concert at the PNC Bank Arts Center in Holmdel, New Jersey. After the show started, it began to rain, and the plaintiff alleged the lawn area became slippery, wet and muddy. The plaintiff attempted to walk down the sloped lawn toward the stage to buy her husband a beer.

### No-cause verdict on behalf of national trucking company.

#### **Trucking & Transportation Liability** **August 23, 2020**

We obtained a no cause verdict following a one day non-jury trial (conducted virtually) in the Law Division of Hudson County for our client, a national trucking company. The plaintiff alleged the truck swerved into his lane causing property damage.

### Court agrees mode of operations does not apply in retail liability case

#### **Premises & Retail Liability** **December 30, 2019**

We were successful on a motion for summary judgment, thereby barring the application of the mode of operations in a slip and fall case where an alleged partially eaten sandwich was found in the aisle of the retailer.

### Rock Climbing Liability Waiver Found Enforceable.

#### **General Liability** **April 11, 2019**

We obtained summary judgment on behalf of a rock climbing center. The plaintiff, a certified climber, was injured when she fell from a 25-foot rock-climbing wall at our client's facility. After reaching the summit of the wall, she pushed off to begin repelling down, only to realize that she forgot to connect to the auto-belay system. She fell to the ground and fractured both ankles and underwent open reduction internal fixation surgery.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Successfully obtained a no cause verdict following a one day non-jury trial (conducted virtually) in the Law Division of Hudson County for our client, a national trucking company. Plaintiff alleged the truck swerved into his lane causing property damage. We successfully argued that plaintiff's identification of the trailer as belonging to our client was not dispositive on the issue of the identification of the company responsible for operation of the truck which was pulling the trailer at the time of the accident. The judge further found the police report was not admissible on the identification of the operator of the vehicle and also that regardless of identification, plaintiff failed to establish the operator was negligent.

Obtained summary judgment barring the application of the mode of operations charge in favor of major retailer.

Obtained a summary judgment on behalf of rock-climbing facility on the basis that waiver was enforceable and no reasonable jury could find that the client was grossly negligent based on client's testimony of safety procedures, protocols and equipment in place at indoor rock-climbing facility.

Secured summary judgment for breach of contract and indemnification in a premises liability action.

Obtained Summary Judgment for a national concert promoter and public entity venue owner. Plaintiff purchased outdoor lawn seats for a concert at the PNC Bank Arts Center in Holmdel, New Jersey. After the show started it began to rain and plaintiff alleged the lawn area became slippery, wet and muddy. Plaintiff attempted to walk down the sloped lawn area towards the stage to buy her husband a beer. While doing so her foot got stuck in mud which formed with the rain and she suffered a severe ankle fracture which was surgically repaired. The trial Judge dismissed the case on Summary Judgment and found plaintiff's expert's report to be unsupported. The court reasoned plaintiff could not present a claim of liability against the operator for failing to prevent the outdoor grass seating area from becoming wet and slippery when it rained. He also reasoned plaintiff could not prove the property was in a dangerous condition as defined by the New Jersey Tort Claims Act. We believe this decision will be helpful in defending other cases at the same venue involving similar facts.