

## TRACY L. BURNLEY

SHAREHOLDER



### AREAS OF PRACTICE

Miscellaneous Professional Liability  
Architectural, Engineering & Construction  
Defect Litigation  
Real Estate E&O Liability

### CONTACT INFO

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### ADMISSIONS

New Jersey  
1993

U.S. Court of Appeals 3rd Circuit  
2008

### EDUCATION

Widener University School of Law  
(J.D., 1993)

West Chester University (B.S.,  
magna cum laude, 1985)

### ASSOCIATIONS & MEMBERSHIPS

Camden County Bar Association

New Jersey Inns of Court

### YEAR JOINED

1998

### OVERVIEW

Since 1998, Tracy has devoted most of her practice to civil defense litigation in the areas of professional liability, architects and engineers, real estate, construction defect, construction site bodily injury claims, condominium association/D&O defense and premises liability. She regularly defends architects, engineers and other design professionals in professional liability claims. Tracy also represents real estate agents, brokers and licensed inspection professionals in property damage claims that regularly involve claims of consumer fraud. Many of her construction cases also involve insurance coverage and indemnification issues.

In addition to arguing hundreds of motions in Superior Court, Tracy has argued several cases before the Superior Court of New Jersey, Appellate Division and is admitted to the United States Court of Appeals for the Third Circuit. Tracy has tried approximately 20 cases to verdict, the majority of which were defense verdicts.

Upon her graduation from West Chester University in 1985 with a B.S. in Criminal Justice, Tracy began work as a private investigator in Hagerstown, Maryland. Thereafter, she accepted a position as a municipal court administrator with the Municipal Court of Stone Harbor, New Jersey. In 1990, Tracy pursued her *juris doctor* at Widener University School of Law. After graduating from Widener in 1993, she began her legal career as an associate with a law firm in Woodbury, New Jersey. In 1997, she accepted a position with the southern New Jersey staff counsel office of CNA and continued in the area of civil defense litigation.

### CLASSES/SEMINARS TAUGHT

*Construction Defect Litigation in New York and New Jersey*, Client Webinar, December 2020

*Liability Concerns for Architects, Engineers and Construction Professionals: New Jersey Architects, Engineering & Construction Defect Issues*, Marshall Dennehey Client Seminar, July 2015

Presented numerous seminars to claims professionals related to New Jersey law on negligence claims and claims of Consumer Fraud as to real estate professionals.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Affirmed on appeal by New Jersey Supreme Court for dismissal of consumer fraud and other statutory claims against nursing home client.

Affirmed on appeal for dismissal of professional negligence and consumer fraud claims against real estate broker and agent in the handling of a residential real estate transaction.

Affirmed on appeal for dismissal of claims against engineer in inspection of home for real estate transaction.

Affirmed on appeal for dismissal of premises liability claims against client snow removal contractor.

Affirmed on appeal for dismissal of negligence claims against client general contractor for injuries sustained by subcontractor's employee.

Defense verdict for an engineering firm related to claims of professional negligence resulting in significant flooding damage.

Several defense verdicts for real estate broker and agent related to claims of negligence and consumer fraud.

Defense verdict for commercial property owner for slip and fall claims in client's parking lot.

Numerous summary judgments secured for real estate brokers/agents related to claims of negligence and violation of Consumer Fraud Act.

Summary judgment secured for client architect in \$6.5 million injured infant claim.