

## JUSTIN F. JOHNSON

OFFICE MANAGING ATTORNEY  
SHAREHOLDER



### AREAS OF PRACTICE

Health Care Liability

### CONTACT INFO

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Roseland, NJ 07068

### ADMISSIONS

New Jersey  
1989

U.S. District Court District of New  
Jersey  
1989

### EDUCATION

Pace University School of Law  
(J.D., 1989)

Drake University (B.S., 1986)

### HONORS & AWARDS

The Best Lawyers in America®,  
Medical Malpractice Law -  
Defendants  
2025

The Best Lawyers in America®,  
Health Care Law  
2024

### OVERVIEW

Justin practices in the areas of medical malpractice, nursing home liability and state board disciplinary actions. He became a shareholder in 2007, and he is one of only approximately 300 attorneys in the United States who also holds a pharmacy degree. Justin is a licensed pharmacist in Iowa (1986) and Illinois (1987), and his knowledge of pharmacology, pharmacokinetics, toxicology, physiology and anatomy are well utilized in the firm's Health Care Liability Practice Group.

Justin has handled several hundred medical malpractice matters and has taken nearly 120 cases to trial. Ninety percent of all verdicts were defense verdicts, and roughly 30 of his cases ended in a verdict or mid-trial settlement significantly below the settlement demands. He has represented a considerable number of physicians and pharmacists at state board disciplinary proceedings. He successfully obtained favorable trial verdicts in multiple cases involving potentially high jury awards, including matters involving limb loss, kidney/liver injury, wrongful birth and wrongful death by demonstrating that the physicians were not negligent in the care and treatment that they rendered to their patients. He also handled a case for a physician involved in the Ortho Evra patch mass litigation.

Justin received a Bachelor of Science degree in Pharmacy from Drake University in 1986. While at Drake, he received various honors, including The Norcliff-Thayer Publishing Grant, election into the Order of Omega (honor society), and inclusion on the Dean's List. Justin received his *juris doctor* from Pace University School of Law in June 1989 where he was involved in the Health Law Program.

After serving a judicial internship with the Honorable John Marbach in the New York Supreme Court, Justin became associated with Jeffrey A. Krompner, Esquire, of Florham Park, New Jersey, from 1989 through 1992. In 1992, Justin became associated with Michael J. Lunga, Esquire of Fairfield, New Jersey, and became a partner at their newly named firm Lunga, Evers & Johnson in 1995. He remained at that firm until he joined Marshall Dennehey in 2007.

Justin is admitted to the bar in New Jersey and the U.S. District Court for the District of New Jersey, and he is a member of the New Jersey State Bar Association, and the American Society for Pharmacy Law. He was appointed to the Medical Malpractice Committee of the New Jersey State Bar Association, as well as the Joint Committee of Essex County Medical and Bar Associations.

Justin is an active member of the community, serving as a member of the Harrington Park Lions Club and, when his daughters were younger, serving as a board member and coach of several recreational and travel softball and basketball programs. He is also a consistory member and first vice-president of the Community Church of Harrington Park, New Jersey.

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## ASSOCIATIONS & MEMBERSHIPS

American Bar Association

American Society for Pharmacy Law

Central Illinois Pharmaceutical Association

Joint Committee of Essex County Medical and Bar Associations

New Jersey State Bar Association, Member, Medical Malpractice Committee

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## YEAR JOINED

2007

## THOUGHT LEADERSHIP

### Marshall Dennehey Named 2023 New Jersey Regional Litigation Department of the Year Winner by The American Lawyer

December 5, 2023

Marshall Dennehey was named the 2023 New Jersey Regional Litigation Department of the Year winner at The American Lawyer Industry Awards held November 16, 2023 in New York City.

[Read More](#)

### On the Pulse...Our Roseland, New Jersey, Office

**Roseland**  
**September 1, 2023**

In February 1993, Roseland became the home of Marshall Dennehey's North Jersey office. Its lone member, Howard Mankoff, was the original local managing attorney, and he is still with us today. Defense Digest, Vol. 29, No.

### On the Pulse . . . Our Roseland, New Jersey Office

**Roseland**  
**June 1, 2018**

As the relatively new managing attorney of the Roseland office, when I was asked to provide a summary and some insights of the inner workings of our local office, my first inclination was to review prior additions of Defense Diges Defense Digest, Vol. 24, No. 2, June 2018. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

### CLASSES/SEMINARS TAUGHT

*Risk Management Rounds in Anesthesia, MDAdvantage, March 17, 2015*

## RESULTS

### Summary Judgment Secured in a Complex Medical Malpractice Case

**Health Care Liability**  
**May 2, 2024**

We obtained summary judgment on behalf of an obstetrician in a medical malpractice action. The plaintiff alleged that our client did not obtain the requisite informed consent from the plaintiff to undergo a trial of labor after having two prior cesarean section deliveries (TOLAC x2). The court found that the plaintiff's lack of informed consent claim was without foundation as she had an awareness of the risks of TOLAC x2.

### Directed Verdict Obtained in a Subacute Rehab Case

**Health Care Liability**  
**October 11, 2023**

We secured a directed verdict in a subacute rehab case in New Jersey. The plaintiffs claimed their father, who suffered from dysphagia, was negligently left unattended to choke and die in his room by the nursing staff while eating breakfast. At the close of plaintiff's case, three motions for directed verdict were made. The court eventually agreed that the plaintiffs had not met their burden on causation with the expert testimony.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained summary judgment on behalf of an obstetrician in a medical malpractice action. The plaintiff alleged that our client did not obtain the requisite informed consent from our client to undergo a trial of labor after having two prior cesarean section deliveries ("TOLAC x2"). The court found that the plaintiff's lack of informed consent claim was without foundation as she had an awareness of the risks of TOLAC x2. Rather, the court found that her claim was premised on the assertion that the physician performing the TOLAC x2 failed to convert the TOLAC to a C-section quickly enough when complications arose. The court held that as matter of law our client had no obligation to discuss the risk that the doctor in the delivery room may wait too long to pivot to a C-section, which was the actual cause of the plaintiff's alleged harm.

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