

## HOWARD MANKOFF

SENIOR COUNSEL



### AREAS OF PRACTICE

Miscellaneous Professional Liability  
Employment Law  
Public Entity & Civil Rights Litigation  
Consumer Financial Services Litigation & Compliance  
Insurance Agents & Brokers Liability  
Real Estate E&O Liability  
Lawyers' Professional Liability  
Accountants' Professional Liability  
Disciplinary Board Representation

### CONTACT INFO

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### ADMISSIONS

New Jersey  
1981

U.S. District Court of New Jersey  
1981

U.S. Court of Appeals 3rd Circuit  
1985

### EDUCATION

Rutgers, The State University of  
New Jersey School of Law-  
Camden (J.D., 1981)

American University (B.A., cum  
laude, 1978)

### OVERVIEW

Over more than 30 years, Howard has built a successful legal practice which focuses on professional liability defense, employment litigation and public entity liability defense. He has represented lawyers, accountants, real estate professionals, directors and officers. A respected trial lawyer, Howard has handled hundreds of professional malpractice claims and has tried over 100 of them to verdict, a majority of which sided with the defense. In a precedent-setting decision before the Third Circuit, Howard successfully argued that a municipality can exclude houses of worship in order to facilitate economic redevelopment. He also has extensive experience defending cases brought under the Fair Debt Collection Practices Act and the Fair Credit Reporting Act.

In 1978 Howard received his undergraduate degree from American University, with honors. He then received his law degree from Rutgers University in 1981.

### THOUGHT LEADERSHIP

#### Insurance Agents, Do Not Fail to Read This!

**Roseland**  
**Insurance Agents & Brokers Liability**  
**June 1, 2020**

Edited by Timothy G. The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

### CLASSES/SEMINARS TAUGHT

*What Insurance Claims Professionals Need in Order to Make the Process More Effective*,  
December 2011

*Risk Management Seminar*, CNA, 2003

*School Bully Laws*

*Trends in Directors and Officers Litigation*

*Counsel Fee Exposure in Employment Litigation*

*Electronic Discovery Issues*

*Mock Trial of Employment Suit*

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## HONORS & AWARDS

AV® Preeminent™ by Martindale-Hubbell®

*The Martindale Hubbell rated attorney list is issued by Internet Brands, Inc. 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.*

New Jersey Super Lawyer  
2006, 2008

*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.*

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## ASSOCIATIONS & MEMBERSHIPS

American Bar Association

New Jersey State Bar Association

Professional Liability Underwriters  
Society

Richard J. Hughes Inn of Court

Ethics Committee, Essex County

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## YEAR JOINED

1992

## PUBLISHED WORKS

"Land Use Litigation – Trends, Exposures and Moral Hazards," *Defense Digest*, Vol. 22, No. 3, September 2016

"Electronic Discovery: The Final Frontier," *Defense Digest*, Vol. 11, No. 1, March 2005

"Revised Federal Rules of Civil Procedure Create New Problems for Defendants," *Defense Digest*, Fall 1994

## LEGAL TEACHING POSITION

Guest lecturer at Hofstra University Law School, 2012

## RESULTS

### Successful defense of religious denomination in ecclesiastical dispute.

#### **Public Entity & Civil Rights Litigation**

**November 10, 2022**

We were granted summary judgment in a case involving a dispute between a religious denomination (our client), and one of its local churches. The client invoked its judicial process, allowing it to assume control of a local church due to declining membership. The pastor of the local church refused to vacate the parsonage. The local church asserted the denomination lacked the authority to assume control over it and argued that it was never actually part of the larger denomination.

### Successful representation of attorney at center of ethics investigation.

#### **Disciplinary Board Representation**

**November 1, 2022**

Our client represented a plaintiff in a personal injury action. The personal injury plaintiff had signed a lien letter, agreeing to repay her physical therapist from the proceeds of the personal injury claim. After the case settled, our client reimbursed the physical therapist for less than the amount billed by the therapist, who filed the ethics complaint. We successfully argued that our client was representing the best interests of his client, who claimed the bills were excessive. By doing so, the attorney increased the recovery for his client.

### Successful representation of attorney sued by former client.

#### **Lawyers' Professional Liability**

**February 16, 2022**

We successfully represented an attorney who was sued by a former client after representing that client in a personal injury action. The plaintiff alleged the attorney failed to file suit within the time allowed by the Statute of Limitations. We argued in our summary judgment motion that the attorney sent two letters to the plaintiff, advising that the attorney would not file suit and further informing the plaintiff when the Statute of Limitations would expire.

### New Jersey Appellate Division affirms dismissal of plaintiff's gender discrimination and workers' comp retaliation claims.

#### **Public Entity & Civil Rights Litigation**

##### **Appellate Advocacy & Post-Trial Practice**

**August 13, 2021**

Our defense team was successful before the New Jersey Appellate Division. The plaintiff is a former employee of a non-profit agency that provides services to disabled individuals. She filed suit against her former employer and its manager, alleging gender discrimination and retaliation for filing a workers' compensation claim. As discovery progressed, thousands of pages of discovery were exchanged, which demonstrated that legitimate, long-standing performance deficiencies were the actual basis for her termination.

### Summary judgment for dentist in employment case.

#### **Miscellaneous Professional Liability**

**May 7, 2021**

We obtained summary judgment on behalf of a dentist who sold her practice in an employment and contract claim. The plaintiff, also a dentist, was employed by our client. He claimed his contract automatically renewed, and that he was entitled to two years of pay. The plaintiff also claimed he was entitled to be compensated because our client allegedly prevented him from taking records of patients he was treating.