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It Pays to Discover

By Vito A. Gagliardi, Jr.

In a recent decision by the New Jersey Appellate Division, a defendant employer was rewarded for its fidelity in producing discovery and its tenacity in pursuing discovery from a very difficult plaintiff; following extensive motion practice, the employer-defendant obtained a dismissal with prejudice based upon plaintiff's failure to provide complete discovery. The case is instructive for employers and their attorneys alike, because it demonstrates how investing in motion practice can lead to a successful result over time.