

Joshua H. Abramson

Principal

New York, NY

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Josh is a skilled litigator who will leave no stone unturned to achieve success for his clients. From day one, Josh zeroes in on his clients' objectives, learns their business, and then charts a strategic and cost-efficient path towards a favorable outcome. He represents companies and individuals in a wide variety of complex business related disputes, including those involving enforcement and breaches of contract, real estate and commercial property rights, fraud, corporate rights and responsibilities, and emergent applications for injunctive relief. Josh also maintains an active practice defending product manufacturers against claims of product liability, breach of warranty and wrongful death, often in cases involving catastrophic injuries; and, he represents several multi-national retailers in matters involving premises liability, insurance coverage, and indemnification.

Josh creates a partnership with his clients and enjoys working together towards a common goal. An aggressive litigator when the circumstances call for it, Josh also has many years of experience negotiating favorable settlements and outcomes for his clients when that is the most practical path. Josh's clients appreciate his business oriented approach and the importance he places on keeping them well informed and updated, while guiding them through the ever-changing litigation landscape. They also appreciate knowing that Josh will never be outworked and always has their best interests in mind.

Josh is a member of Porzio's Litigation Practice Group, and he routinely appears in New York and New Jersey state and federal courts, and before arbitration tribunals. His corporate clients span several industries, including telecommunications providers, product and equipment manufacturers, equipment suppliers, commercial landlords and tenants, property managers, transportation carriers, and national cosmetic and food/beverage retailers. Josh has earned the respect of his peers around the country for his work, as he is often called on by other lawyers to serve as their local counsel in New York and New Jersey for a wide range of litigation matters.

Memberships

- Defense Research Institute, Products Liability Committee (Steering Committee Member)
    - Chair, Manufacturer's Risk Prevention Specialized Litigation Group (2018 - 2020); Vice-Chair (2016 to 2018).
    - Chair of Publications (2014 – 2016); Vice-Chair of Publications (2012 – 2014); Editor of Quarterly Newsletter Strictly Speaking (2011 – 2012); Vice-Editor of Quarterly Newsletter (2010-2011).

- Member, International Association of Defense Counsel
- New York County Lawyers Association (NYCLA)
    - Co-Chair, In House/Outside Counsel Committee (2018 - present)
- Board of Directors, 2016 Tenants' Corporation (2018 - present)

News

*No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. For ranking methodologies, please see **here**.*

- Porzio Promotes Joshua H. Abramson to Principal and Melanie D. Lipomanis to Counsel, 7/01/2022
- Court Sides with NYC Medallion Owners, Dismissing Motion for Summary Judgment, 8/31/2018

Articles

- Defendant in New York Personal Injury Action Gets Expanded Access to Plaintiff's Social Media Accounts, 1/31/2019
- Plaintiff's Comparative Fault No Longer a Fact Question to Defeat Summary Judgment in New York, 4/16/2018
- New York Court of Appeals Firmly Narrows a Medical Corporation's Fiduciary Liability for the Unauthorized Disclosure of Confidential Patient Information by a Non-Physician Employee, 1/15/2014

Speaking Engagements

- Moderator, "Using Industry Standards and Product Reporting as Critical Defenses in Product Liability Actions," DRI Products Liability Conference, Las Vegas, NV, February 10, 2017.
- Speaker, "Defending Against New York Labor Law Claims," CLE Presentation at XL Catlin, July 15, 2015.
- Program Chair, "Hot Topics in Employment Law," New York County Lawyers Association, New York, NY, October 5, 2015.

Practices

- Litigation

Area of Focus

- Commercial Litigation
- Product Liability

Industries

- Manufacturing
- Telecommunications

Relevant Experience

Business Litigation/Real Estate Matters

- Lead counsel for security/surveillance company in action alleging conspiracy to divert confidential information, customers, and business opportunities; negotiated favorable settlement.
- Represented major telecommunications carrier in a lease dispute where building owner alleged that the carrier's equipment caused property damage in excess of $5 million dollars. Successfully negotiated a favorable settlement in which the carrier was not required to pay any money.
- Defended a mid-size plastic recycling company against breach of contract claims asserted by financial services company that had been retained to secure financing in excess of $15 million dollars. Successfully dismissed all claims on summary judgment.
- Obtained a dismissal before trial of all claims against a manufacturer and distributor of construction equipment against claims that it violated Sections 200, 240(1) and 241(6) of New York's Labor Law Statute.
- Represented a major telecommunications carrier in New York federal court in an action for injunctive and declaratory relief concerning the carrier's rights to access and upgrade equipment in its wireless network. Successfully obtained a court order granting injunctive relief for the carrier, and defeated claims from property owner who sought additional rental income under the parties' long term lease.
- Defended officers and directors of nonprofit corporations against securities fraud and conversion claims arising from $97 million dollar bond issue. Obtained dismissal of the majority of plaintiff's securities fraud and conversion claims.
- Lead trial counsel in securities arbitration involving claims of breach of fiduciary duty, violation of federal securities laws, and negligent handling of accounts; obtained a significant verdict for client.
- Co-trial counsel in New Jersey state court action for a log home company in defense of claims for breach of contract and consumer fraud. After a several day bench trial, the Court rendered a full defense verdict.
- Lead trial counsel for mid-size financial services company in commercial litigation matters primarily involving breach of contract.

Product Liability Defense

- Defended a major international equipment manufacturer against claims that its air compressor caused a tire explosion and catastrophic injuries due to a design defect. Persuaded the court to dismiss all claims against the manufacturer.
- Obtained dismissal of all product liability claims against multi-national conglomerate by successfully convincing the court that our client did not manufacture the product (a concrete pump machine) and was not the "successor" of the actual manufacturer by way of "de facto" merger.
- Defended a manufacturer of automatic doors against claims of design defect, manufacturing defect, failure to warn, negligence, and breach of warranty. Obtained a dismissal of all claims against the manufacturer before trial.
- Represented major pharmaceutical company in defense of nationwide mass tort involving several thousand plaintiffs alleging severe heart and lung injuries from ingestion of prescription drug. Managed large team of attorneys throughout the country on discovery matters, and played key role in trial preparation.

- Co-counsel to a therapeutic bed manufacturer in cases involving claims of product liability, negligence, and breach of contract.
- Represent and defend a national restaurant chain in a variety of general negligence matters across the New York and New Jersey area.
- Defended a national retail store against negligence clams where the plaintiff sustained serious injuries after a trip and fall in our client's store. Secured the pre-trial dismissal of all claims against our client at the close of discovery.

Opinions, Decisions and Cases

- *Medina v. RM Resources, et al.*, 107 A.D.3d 859, 968 N.Y.S.2d 533 (2d Dep't 2013) (argued and on the brief)
- *Shields v. First Avenue Builders LLC*, Housing Partnership Development Corporation, FSLM Associates LLC and Worthington S.p.A., 2013 NY Slip Op. 30160(U) (Sup. Ct., NY Cty 2013) (argued and on the brief)
- *Zapata v. Ingersoll-Rand Company, Inc.*, 36 Misc. 3d 1230(A) (Sup. Ct., NY Cty 2012) (argued and on the brief)
- *Vassi v. The Salem House Condominium Board and T-Mobile Northeast, LLC*, 30 Misc. 3d 1233, 926 N.Y.S.2d 347 (Sup. Ct., NY Cty 2011) (argued and on the brief)
- *United Resource Recovery Corporation v. Ramko Venture Management, Inc.*, 2009 U.S. Dist. LEXIS 77153 (S.D.N.Y. 2009) (on the brief)
- *Charles A. Manganero Consulting Engineers, Inc. v. Carney's Point Township Sewerage Authority*, 344 N.J. Super. 343 (App. Div. 2001) (on the brief)

Career Background

- Honorable Arthur J. Lesemann, J.A.D., Superior Court of New Jersey, Appellate Division, *Law Clerk*, 1999–2000.
- Honorable Gerald C. Escala, P.J.S.C., Superior Court of New Jersey, Chancery Division, *Judicial Intern,* 1997

Bar Admissions

- New Jersey, 1999
- New York, 2000

Court Admissions

- United States District Court, District of New Jersey, 1999
- United States District Court, Eastern District of New York, 2002
- United States District Court, Southern District of New York, 2002
- United States Court of Appeals, Second Circuit, 2014

Education

- *Rutgers Law School*
  J.D., 1999
- *University of Michigan*
  B.A., 1996