



SOBEL PEVZNER, LLC

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ABOUT

Litigation Case Management.....	1
Venues.....	2
Diversity.....	2

PARTNERS

Curtis Sobel	3
Bella Pevzner.....	3
David Goldman	4
Aaron Gross	4

ASSOCIATES.....5

PRACTICE AREAS

Amusements, Sports, Equine and Recreation Liability.....	6
Automobile Liability.....	6
Aviation Defense	6
Bad Faith, Coverage Issues and Fraud	7
Commercial Litigation	7
Construction Industry Practice.....	7
Employment Law.....	8
Environmental and Toxic Tort Litigation	8
Estate Litigation and Mediation	8
Food Product Liability.....	9
Hospitality and Liquor Liability.....	9
Mediation and Alternative Dispute Resolution	10
Pharmaceutical Liability.....	10
Premises Liability.....	10
Product Liability.....	11
Truck and Transportation Liability.....	12
Workers' Compensation	12

Aggressive Advocates Innovative Strategists We are the Sobel Pevzner, LLC.



The Civil Litigation Defense Practice

Sobel Pevzner, LLC. is a defense firm with offices in Huntington, New York, New York City and Burlington, New Jersey, which for more than 25 years, has been engaged in all aspects of negligence defense litigation. The firm started as the solo practice of Curtis Sobel in 1986 and has grown to our current complement of 16 attorneys serving clients in New York, New Jersey and Eastern Pennsylvania. The firm remains committed to providing the highest quality defense in the most cost effective manner.

Curtis Sobel, Esq., the Senior and Founding Member of the firm, has in excess of 25 years of litigation experience and alternative dispute resolution in the State of New York. Bella Pevzner, Partner with the firm, has significant experience in the defense of civil law suits as well as Workers' Compensation matters in New York and New Jersey and oversees the day-to-day operations of our New York City and Burlington offices. David Goldman is an accomplished litigator in the State and Federal Courts of New York and is the Managing Partner of the firm's Huntington office.

Since its inception, the Sobel Pevzner, LLC. and its predecessor firms, have consistently and successfully represented prominent members of the insurance, hospitality, retail, transportation, habitation and construction industries in the greater New York Metropolitan area. Presently, the firm's expansive clientele includes insurance carriers, self-insured businesses, municipalities and school districts, regional habitation companies, school and municipal bus companies, supermarket chains, "big box" retailers, construction companies, product manufacturers, as well as national and regional pharmacies, automobile parts and repair chains, and fast food chains. To address the needs of its clients, the Sobel Pevzner, LLC. expanded its reach and practice into New Jersey and Eastern Pennsylvania. The firm has also been an aggressive advocate for its clients in matters involving insurance fraud. Furthermore, various carriers also depend upon our firm to represent their interests in the Workers' Compensation arena.

Sobel Pevzner, LLC. and its members have an extensive and proven track record on trial and in all appellate courts. However, they also recognize the potential costs and risks associated with trial and continually counsel clients throughout the pre-trial period so that their resources are properly allocated and appropriate decisions in this regard are made. Ultimately, it is the members' skill as trial attorneys and an ability to recognize when trial is necessary that creates consistently low loss ratios for our clients.

Since its inception, Sobel Pevzner, LLC. has been defense counsel of choice for companies, large and small who chose

to insure themselves either within a captive insurance program or with a significant self insured retention.

Often times, the firm's clients would elect coverage with an SIR or deductible of One Million Dollars (\$1,000,000.00) or more. As a result, the firm has never suffered from the disconnect so common in the insurance industry between the costs associated with indemnity versus cost of defense.

Sobel Pevzner, LLC. employs an individual case assignment system. To the fullest extent possible, cases are assigned to one partner and one associate from inception through trial. This practice ensures continuity and control and also eliminates the costs occasioned by repeated review of files by various attorneys. With each client, an extensive database is developed which includes information regarding product lines, independent contractors, leasehold provisions and prior litigation results. This has proven to be an invaluable asset and one that significantly reduces the defense costs associated with repetitive litigation.

Identification of potential third-party liability, enforcement of indemnification agreements and the generation of an early suit evaluation are primary goals when a new assignment is received. Through prompt investigation and close client contact the firm's attorneys are able to generate early opinions as to the potential liability and damages in each suit. Anticipated defense costs are then factored in and the cases that warrant early settlement or alternative dispute resolution are identified. Investigation, discovery and trial preparation are effectively allocated on a case by case basis.

Litigation Action Plans and Defense Cost Budgets are prepared at the inception of every new lawsuit. Throughout the course of a lawsuit, guideline compliant reports are tailored to meet each client's needs.

From our years of representing clients with significant self-insured retentions the attorneys of Sobel Pevzner, LLC. have developed a true appreciation of the impact litigation costs can have on a client. We continually strive to reduce defense costs while never sacrificing the quality of our work. Our statistically superior defense cost averages, result from our belief that billing should only be the product of an aggressive and appropriate representation, not the reason for it. Regardless of the method of calculation, we realize that the ultimate success of our firm is contingent upon the development and continuation of long-term client relationships and not the number of billable hours generated by a particular assignment.



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Practice Venues

Sobel Pevzner, LLC. maintains offices in Huntington, (Long Island) New York, Manhattan and Burlington New Jersey. The New York based attorneys of the firm actively practice in the United State District Courts and the State Supreme and Appellate Courts covering Nassau and Suffolk Counties, the Five Boroughs of New York City, Rockland, Westchester, Orange, Dutchess, Ulster and Hudson Counties. In addition the firm currently practices in all State and Federal Courts in New Jersey and in the

Philadelphia Court of Common Pleas. Through years of practice concentrated in these venues, the members of Sobel Pevzner, LLC. have established a reputation with the Bench and relationships with other members of plaintiff's and defendant's Bar, which ultimately benefit the firm's clients. Knowledge of a Judge's disposition or an adversary's trial abilities, as well as jury tendencies, is invaluable to the successful settlement or trial of a particular case.

Diversity

Sobel Pevzner, LLC. is greatly committed to racial and gender diversity as well as a positive and supportive work environment. The firm embraces and strives for diversity not only in terms of our people, but also in the unique ideas and perspectives each person brings to the firm. One of the basic tenants of the firm is respect for the dignity and worth of each individual. We seek to foster understanding, acceptance and inclusiveness for the

breadth of diversity that exists in our firm and the communities in which we live, including racial, gender, sexual orientation, religious and economic diversity. Our firm is an Equal Opportunity Employer and it is our policy, from recruitment through employment and promotion, to provide equal employment opportunity at all times without regard to race, color, religion, age, gender, sexual orientation, national origin, disability or any other personal characteristics.

Curtis Sobel, Esq.

Curtis Sobel is a lifelong resident of Long Island and was admitted to the New York State Bar in 1986 after receiving his Juris Doctorate from the State University of New York at Buffalo. He is the founding member of the firm, having started the practice as a solo practitioner in 1990. Mr. Sobel has also gained admission to practice in the Federal District Courts for the Eastern, Southern and Northern Districts of New York. At present, he holds memberships in the Nassau-Suffolk Trial Lawyers Association, New York State and Suffolk County Bar Associations, the National Risk and Insurance Management Society, Defense Research Institute and Suffolk County Chiefs of Police. He is also a Past President of the Huntington Lawyers Club. Mr. Sobel is a certified CE instructor and frequently conducts lectures and seminars in all areas of risk management and claims handling for the firm's clients. His lectures and workshops for the claims and risk management departments of firm's clients include loss prevention control methods, claims handling procedures and settlement techniques. He has also conducted CLE courses for the Suffolk Academy of Law, and lectured for the New York Institute of Technology, Touro Law School and many local and state-wide claims associations. He was nominated to join the Council on Litigation Managements and honored as a Metro New York Super Lawyer for 2013.



In his twenty eight years of practice, Mr. Sobel has commenced in excess of Two Hundred trials and taken upwards of Seventy Five verdicts. His extensive trial experience has been in all aspects of commercial premises liability, food and products liability, construction, trucking & transportation and automobile accidents. In addition to the work assigned to the firm from inception, Mr. Sobel is also frequently called in to try complex litigation matters when the insured or insurer determines the need to substitute in for outside counsel.

Bella I. Pevzner, Esq.

Bella I. Pevzner is a partner with the firm. Mrs. Pevzner is admitted to practice in the State Courts of New York and New Jersey. She is also admitted to practice in the United States District Courts for the Eastern and Southern Districts of New York and in the Federal Courts of New Jersey. Mrs. Pevzner focuses her practice in the area of civil liability including premises liability, product liability, amusements, sports and recreation, construction accidents, automobile, trucking & transportation, dram shop/liquor liability as well as Workers' Compensation. She has represented numerous clients in all aspects of the litigation process including mediation/arbitration and trials.

Mrs. Pevzner manages and oversees the Workers' Compensation defense practice for the firm. In that regard, she has extensive experience in highly contested compensation matters and is an active trial attorney throughout New York and New Jersey. Additionally, she oversees the firm's risk management program in the workers' compensation arena counseling clients on how they can modify business practices and procedures to effectuate a more comprehensive risk avoidance program.

Mrs. Pevzner is responsible for the day to day operations of the NYC and NJ offices as well as management of its attorneys and support staff. Additionally, Mrs. Pevzner is a frequent lecturer in the field of civil litigation including premises liability, liquor liability, amusements, sports and recreation, labor law as well as Workers' Compensation. She graduated from John Jay College of Criminal Justice, magna cum laude, in 2001 with a Bachelor of Arts degree majoring in Government with a minor in English. Thereafter, she attended Brooklyn Law School where she obtained her juris doctor, graduating in 2004.

Mrs. Pevzner is a member of the National Restaurant and Retail Defense Association, (NRRDA), New York Claims Association (NYCA), and the New York and New Jersey Bar Associations. Mrs. Pevzner is fluent in both spoken and written Russian.





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David M. Goldman, Esq.

David M. Goldman is the Managing Partner at the firm's Long Island Office. He earned his Juris Doctorate from Touro Law School. Mr. Goldman was admitted to practice before all New York State courts in 1996, and is also admitted to practice law in the United States District Courts for the Eastern and Southern Districts of New York.

Mr. Goldman completed his undergraduate work at the University of Maryland, in the fields of business and marketing, and also studied abroad at the University of London. Mr. Goldman is an experienced litigator and has represented numerous clients, including many large national retailers, major corporations, and individuals in all aspects of defense litigation, involving premises liability, automobile litigation, construction and labor law, commercial products liability, and commercial trucking litigation. He has represented clients in all phases of litigation, including conducting depositions, discovery, motions, appeals, court conferences, mediations, arbitrations, jury selections and trials.

Mr. Goldman has drafted and successfully argued numerous appeals before the Appellate Division, 2nd Department. He has successfully represented many clients at formal arbitrations. He has also successfully tried cases to verdict and obtained defense verdicts at trial and through formal arbitrations. Mr. Goldman holds memberships in the National Risk and Insurance Management Society, Premises Liability Defense Organization, and Transportation Litigators. He has also served for seven years as a Logistics Committee Member for the annual Long Island Food Allergy and Anaphylaxis Network Charity Walk. Mr. Goldman concentrates his efforts in the field of negligence defense.



Aaron C. Gross, Esq.

Aaron C. Gross is a partner with the firm. He received his Juris Doctorate from St. John's University School of Law in 1998 and was admitted to practice before all Courts in the State of New York in 1999. He also is admitted to practice in the United States District Court for the Eastern and Southern Districts of New York. He received his undergraduate degree from St. John's University where he majored in Criminal Justice.

Mr. Gross is an experienced attorney with a diverse background representing numerous clients in the areas of personal injury, criminal defense and negligence defense litigation. He presently concentrates his efforts in the defense of claims involving premises liability, automobile negligence, and general negligence for insurance carriers, retail corporations and municipal entities. He is experienced in all aspects of litigation including conducting depositions, discovery, motions, appeals, court conferences, mediations, arbitrations, jury selections and trials, at which he has received numerous defense verdicts during his tenure with the firm.





Randee H. Arem



Elaine Dawson-Burden



Dustin S. Delp



Joseph Fritzson



Terry Holmes-Nelson



Paul A. Lefebvre



Nicole Licata-McCord



Paul X. Lima



Judy Meisel





Amusements, Sports, Equine and Recreation Liability

The Sobel Pevzner, LLC. serves a wide variety of clients involved in amusements, sports and recreation, including theme parks, small carnivals and festivities, trade shows, and sporting events. In addition to providing constant updates on the development of state and federal operational and safety standards, the firm also keeps its clients current with the requirements for licensing, ADA compliance and employment practices.

The attorneys of the Sobel Pevzner, LLC. have, through years of representation in the amusement and recreation industries, developed a thorough understanding of the common law, statutory authorities, issues relating to immunity and the impact of releases all of which prove invaluable to our clients in this unique and challenging area of the law.

Automobile Liability

Our firm handles all aspects of automobile liability in New York, New Jersey and Pennsylvania. We assist our self-insured and insurance industry clients' needs by providing effective and cost efficient services in the defense of third-party bodily injury claims, uninsured and underinsured motorist claims, bad faith litigation, and first-party coverage issues. The attorneys at the Sobel Pevzner, LLC. have successfully defended countless claims on liability grounds. Even when liability has not been favorable, we have obtained outstanding results defending our clients on issues of causation and the applicable lawsuit thresholds.

The attorneys of the Sobel Pevzner, LLC. understand the need for prompt investigation and preservation of evidence as an

essential element to a successful automobile liability defense. Cases involving low speed impacts, ever increasing in recent years get specific attention, especially when coupled with a race to surgery, so often employed by the plaintiff's bar as a method of increasing case valuation. Through the judicious use of a client's resources in the form of bio-mechanical and accident reconstruction, the firm has obtained defense verdicts in matters in which liability was conceded. Moreover, by creating questions as to causation even in cases of certain liability, the firm successfully minimizes exposure to adverse damage verdicts and through mediation or ADR, obtains consistently low settlements.

Carriers specializing in the placement of coverage in this area also benefit greatly from the knowledge and defense strategies developed by the attorneys of the firm. This practice group also encompasses the firm's work in equine risk and defense involving both claims of personal injury and equine injury. Clients in the equine defense program range from large to small riding facilities, privately run and municipal riding academies, instructors and educators together with non-profit organizations which provide therapeutic riding services. For more than two decades, the firm's attorneys and Curtis Sobel in particular has successfully defended equine risk cases frequently obtaining dismissal by summary judgment in favor of the equestrian facility based upon assumption of the risk doctrine.

Aviation Defense

The aviation defense group draws upon the extensive multi-disciplinary litigation experience possessed by the attorneys of Sobel Pevzner, LLC. The firm's attorneys have represented airlines, product manufacturers, general aviation operators, and insurers in catastrophic injury, wrongful death and products liability claims.

As is the case when the firm is called upon to defend other complex litigation, our attorneys approach Aviation Defense in a manner that emphasizes the client's need to make an early assessment of the liability and damage issues so that a proper allocation of resources and both firm and client assets can be made. The firm's attorneys have the competence and

tools necessary to effectively and efficiently defend matters General Aviation matters arising out of fixed wing aircraft, flight schools, and the potential liability of maintenance workers, repairers and over haulers.

The best aviation defense often starts with pre-litigation counseling on matters involving best practices, standard operating procedures as well as early intervention following an accident including witness preparation for NTSB investigations and hearings. With the firm's counsel, clients are empowered to make informed decisions as to the correct path to take, be it an aggressive defense to litigation, or alternative dispute or other form of early resolution.



Bad Faith, Coverage Issues and Fraud

Over the years, the Sobel Pevzner, LLC. has developed a strong platform to represent our clients in coverage and extra-contractual matters, such as the duty to defend, reservation of rights, statute of limitations, consent to settle, standing, bifurcation and severance of claims, policy interpretation and cancellation, and the right to counsel.

We also aggressively defend our clients against claims involving potential fraud and we assist in the investigation of such claims through the tracking of medical and legal professionals that routinely appear in litigated matters with the firm.

The firm's attorney are frequently called in by its carrier clients to conduct an Examination Under Oath (EUO) or otherwise work in matters involving potential fraud or in cases in which an insured's acts or omission could form the basis for a valid disclaimer. Where coverage is being challenged, the firm is often retained to first provide the basis for disclaimer or a reservation of rights and where necessary, represent the carrier in a declaratory judgment action.

Commercial Litigation

Throughout its history, the firm has been an integral partner to all manner of companies in the defense or prosecution of litigation arising out of the pursuit of their business interests, including but not limited to the acts or omissions of their directorships, trademark and trade dress claims, performance of agreements and contracts, divestitures or acquisitions to identify just a few. The area of commercial litigation is extremely diverse and the partners in the firm have gained extensive experience in the commencement and defense of an extremely varied range of litigation in both State and Federal Court. The firm is

actively engaged in complicated and complex commercial litigation arising out of claims involving environmental liability, breach of contract, foreclosure, non-compete agreements, confidentiality agreements and claims of trademark and trade dress infringement. Understanding that these areas of practice often involve the diversion of resources from the business' operating budget, the firm is highly creative in cost containment methods and billing practices while maintaining the aggressive approach to commercial litigation while recognizing the possible benefit of ADR or other early resolution techniques.

Construction Industry Practice

The attorneys of Sobel Pevzner, LLC. that are involved in the Construction practice group have extensive experience in the defense of general contractors, construction managers, architects and property owners in cases brought under the New York State Labor Law. A thorough understanding of the provisions of statutes and common law, statutory exceptions, industrial and building codes and defenses available to our clients proves invaluable in gaining the maximum advantage available under the law. The firm has successfully defended cases arising out of construction site accidents brought under Section 200, 240 and 241(6) of the New York State Labor Law for prominent habitation clients, retailers, construction companies, general contractors, construction managers and agents.

As with a construction project itself, the successful defense of a suit brought under the Labor Law requires the

organization and documentation of input from numerous sources. Prompt investigation, gathering and retention of logs, progress photos, and minutes from safety meeting among other documentation are essential to a successful defense. The attorneys at Sobel Pevzner, LLC. are experienced and knowledgeable in the construction trades and with this background are able to efficiently research and organize the documents and data in support of the client's defense.

In all litigated matters, site inspections, witness interviews, contract and indemnification issue analysis are all conducted at the early stage of the suit. In this manner the firm enables its clients to choose litigation, or alternative dispute resolution. All clients are encouraged to actively participate in the process to ensure an outcome that exceeds expectations.



Employment Law

The Sobel Pevzner, LLC. represents employers in the full range of employment-related claims pending in administrative agencies and the state and federal courts. These claims include disability discrimination under the Americans with Disabilities Act, sex, race, and religious discrimination under Title VII, civil rights discrimination under Section 1981 and Section 1983, discrimination under the Age Discrimination in Employment Act, wrongful discharge, employment-related defamation, Family and Medical Leave Act, and the Fair Labor Standards Act.

Our firm provides constant information updates and support to employer to assist with the development of new employment practices or to revise existing practices and procedures to adapt to the changing employer-employee climate. This collaboration provides employers with the tools necessary to minimize the risk of costly and damaging lawsuits. Our attorneys also review and draft contracts, policy and procedure handbooks, non-compete clauses, and trade secret protection, confidentiality, and separation agreements.

Environmental and Toxic Tort Liability

Our firm handles all aspects of environmental and toxic tort liability, to successfully represent our clients in both state and federal court. We have successfully represented manufacturers, municipalities, landowners, and contractors in these cases. Throughout the years our attorneys have perfected their experience and expertise in order to vigorously defend our clients against agricultural, chemical and pesticide claims; silica claims; environmental law and regulation claims; solvent exposure claims; and mold and indoor air quality claims. Our expertise

in this area includes negotiating, arbitrating, and defending against agricultural chemicals, asbestos, lead paint, and pesticide claims.

Our firm knows that this area of law is constantly evolving, and as such our strategies and techniques are also evolving in order to successfully defend our clients in every type of environmental or toxic tort matter; from the common issues to the more specialized areas of practice.

Estate Litigation and Mediation

Throughout his more than thirty years of practice, Curtis Sobel has established a strong reputation in the litigation of estates and trust matters. Mr. Sobel and the firm's associates actively engage in litigation involving contested wills and will construction proceedings, trust reformation, contested powers of attorney, fraudulent transfers, contested accountings, claims of fiduciary and trustee impropriety, spousal rights proceedings, and actions to impress constructive trusts, claims of creditors and business partners as well as kinship proceedings, actions to quiet title all of which are ancillary to the firm's estate litigation practice.

It goes without saying that estate litigation can be protracted, costly and can cause the destruction of family bonds which can last a lifetime. An estate often brings the members of a decedent's family together for the first time in matters involving finance and estate administration. Not surprisingly, litigation often results where insufficient planning was done or solely as a result of the natural family interaction. Litigation of family disputes in the estate area is therefore extremely challenging and the firm oftentimes offers its services to its clients in the framework of estate mediation. Through mediation, costly litigation can be avoided while maintaining the integrity of the family unit.



Food Product Liability

Throughout its history, the Sobel Pevzner, LLC., has been defense counsel to the food industry in matters involving food and food product liability. The firm represents a wide variety of clients in this complex area of the law including national and regional restaurants, fast food chains, supermarkets, manufacturers and distributors. Claims and suits typically involve an alleged tainted or adulterated food product and only an attorney experienced in the field of food science can filter through the countless frivolous claims for “food poisoning.” Claims involving E-coli, salmonella and listeria are frequently presented but rarely proven when examined by knowledgeable defense counsel.

In addition to the knowledge of food science, the attorneys of the Sobel Pevzner, LLC. possess a thorough understanding of Federal and State labeling statutes, required allergen warnings and the standards of the Food and Drug Administration (FDA).

Clients in this area of practice often times utilize the services of the firm to review standard practices and procedures employed in the restaurant, retail, distribution and manufacturing settings. More closely akin to risk management, the firm’s attorneys counsel the firm’s client in every aspect of food safety, cross contamination, refrigeration, transportation all with the goal of minimizing food based risk. The firm drafts vendor and other agreements which effectively shift the risk of food liability to the party responsible for the product’s creation and packaging. Through this approach, the firm assists its clients in avoiding food liability risk but when cases of this nature are presented, their extensive knowledge minimizes exposure to adverse verdicts as well as adverse publicity arising from allegations which relate to a client’s products.

Hospitality and Liquor Liability

The attorneys at the Sobel Pevzner, LLC. have vigorously represented clients involved in every aspect of hospitality and liquor liability. Our client base includes restaurants, casinos, bars, hotels, and nightclubs. We have the experience and expertise to defend against claims arising under hospitality and liquor liability, including premises liability, franchise disputes, employment issues, licensing, licensing transfers, assaults, guest relations, and liquor liability.

Through our extensive handling of hospitality and liquor liability cases we have perfected successful defense strategies and techniques which allow us to effectively defend our clients in a diverse variety of litigation and facilitate favorable settlement agreements.

Cases brought within the arena of hospitality liability often combine claims of food liability, premises liability, commercial trucking and employee wrongdoing. This creates a complex web of issues typically presented in such

cases. Only through years of working for the hospitality industry has the Sobel Pevzner, LLC. developed the tactics and techniques necessary to work through the often complicated matters where a claim is presented against a member of the hospitality industry.

So often, the lack of available insurance coverage for the truly responsible party forms the sole basis upon which a dram shop action is commenced. Oftentimes, a minimally insured automobile operator or the complete lack of available coverage will cause a plaintiff to look for coverage via a restaurant or bar owner’s liquor liability coverage. Many times, a client in this area will be unaware of the potential for a claim under a state’s dram shop statute until years after an accident occurred. Therefore the firm’s attorneys consistently counsel their clients to establish practices and procedures that are easily replicable and provable and thus, can be relied upon in the defense of a dram shop claim.



Mediation and Alternative Dispute Resolution

In the last ten to fifteen years, mediation and arbitration (ADR) has gained a significant place in a litigation firm's arsenal of tools to wield on behalf of its clients. While the ability to aggressively take a case to trial should never be minimized and the firm of Sobel Pevzner, LLC is always prepared to take a verdict on behalf of its clients as it has in countless instances; the firm's attorneys also recognize that ADR is often the most efficient and effective manner to both minimize risk and bring about an early cost effective resolution to a matter, whether it be in suit or not.

Accordingly, the firm's attorneys have developed extensive experience in identifying cases at an early stage of litigation or when not in suit yet, that warrant ADR. ADR can take many forms and the firm's attorneys are highly creative in working

with the client to determine the best form of ADR to be utilized; be it mediation, arbitration, hi-lo trial parameters, or even a summary jury trial with parameters. Where a client seeks to bring about a significant adjustment to pending litigation figures, the firm has successfully conducted settlement days where by phone or in person ADR, numerous claims and suits are evaluated and oftentimes resolved prior to the incursion of significant defense costs.

Alternative dispute resolution spans all of the firm's practice areas from personal injury litigation and estate litigation to complex commercial matters. By balancing their ability to aggressively litigate a case with the need for early resolution of litigation, the firm brings its unique approach to managing a client's risk and maintaining consistently low loss ratios.

Pharmaceutical Liability

The Sobel Pevzner, LLC. has throughout its history represented prominent national pharmacies in a wide range of pharmaceutical based litigation. Claims often involve the alleged incorrect dispensing of prescription medication, improper or insufficient instructions or labeling or the contraindications to the administration of medications. In many instances medical malpractice is alleged against a prescribing physician as an element to such cases.

This creates a highly complex field of litigation that challenges all but the most experience litigators in this field. The attorneys of Sobel Pevzner, LLC., in conjunction with experts in the fields of oncology, pharmacology, biology and

medicine provide their clients a defense which is without peer. The absence of true medical causation, intervening and superseding malpractice or the learned intermediary rule often form the basis for a successful defense in this area even in those instances where a technical error in the dispensing or labeling of a prescription is proven.

The firm's attorneys often become involved in litigation involving non-prescription or over the counter (OTC) medications and minimally regulated health supplements. Every aspect of this practice area present unique challenges which the attorneys of the Sobel Pevzner, LLC. excel in meeting.

Premises Liability

The attorneys at the Sobel Pevzner, LLC. have extensive experience in both the state and federal courts handling a broad range of claims for our diverse clients that fall under the category of general liability. These types of claims include:

- Premises and Retail Liability
- False Arrest and False Imprisonment
- Assault and Battery
- Elevator Liability
- Defamation

- Malicious Prosecution
- Negligent Hiring, Training, and Supervision
- Negligent Security

We work very closely with our clients to guard against exposure to such potential claims by actively lecturing, developing new and innovative policies and procedures, as well as periodically conducting site inspections. The firm has taken great pride in its ability to significantly reduce the lifespan of a case through our pre-litigation investigation.



Product Liability

The attorneys of Sobel Pevzner, LLC. have extensive experience and knowledge in the area of Product Liability. The firm and its attorneys have a wide range of experience defending product manufacturers, distributors and retailers against a wide variety of product liability claims involving personal injury and property damage. Defense verdicts and dispositive motions have been delivered in cases arising out of foreign and domestically made sporting goods, tools, ladders, pharmaceuticals, cosmetics, buses, amusement rides to name a few.

Throughout its tenure, the firm has successfully defended every type of company positioned in the stream of commerce including food manufacturers and restaurants against claims of food borne illness and injuries caused by foreign objects, manufacturers and retailers of medical devices, pharmaceuticals and cosmetics, sporting goods, recreational products, automobiles, home appliances, electrical equipment, and industrial equipment including allegations relative to defects in manufacture, design, failure to warn and breach of warranty.

The firm's attorneys are known for their legal, technical, trial and settlement expertise and have prevailed at every stage of litigation including motions to dismiss the pleadings, summary judgment, trial and appeal. We keep abreast of the ever developing changes in the law, medico-legal literature, and technology. The firm prides itself in keeping up with the latest theories of liability put forth by the plaintiff's bar in the area of products liability. Working closely with our experts and client representatives, we develop a defense strategy early in litigation so that the firm's client resources and legal spend can be put to maximum benefit.

The firm's attorneys work closely with our clients to understand their products, counsel them in regard to recall

and the costs associated with same, develop and enforce vendor agreements and insurance contracts, and by doing so, become an invaluable partner in their complex field of product liability. Often, the firm is counsel to an innocent retailer which made no modifications, added no warnings, nor modified the product it sold in any way. A prompt tender of our retail client's defense upstream to the distributor and manufacturer as well as the enforcement of vendor agreements and additional insured status has resulted in countless file closings with minimal legal spend and no payment on the indemnity side.

A thorough understanding of jurisdictional issues, joint and several liability and other substantive laws, as well as the proper application of venue selection all play a role in the defense of the firm's products liability client. While early resolution is an option often recommended by the firm and its client, where a frivolous claim attacks the efficacy of a client's product design or manufacture, quality of its product, or suitability of its machine or tool for distribution to the public, the firm has a proven track record of successfully taking cases to trial or preparing a case so that the court will dispose of such a case on motion. In representing national and regional retailers, distributors, manufactures in the defense of products liability cases, the firm is always aware that a decision in one state can have a significant effect on cases in other states. Therefore, the "macro" view of a client's true risk is always considered in regard to litigation including discovery issues and the ultimate strategy of case disposition when a product is widely distributed.



Trucking and Transportation Liability

Throughout its more than twenty five (25) year history, Sobel Pevzner, LLC and its predecessor firms have excelled in the representation of common and private carriers and their insurers in a wide array of matters involving commercial transportation liability claims and transportation related coverage disputes. The firm represents clients and their carriers in a wide variety of claims involving all manner of common and private carriers engaged in interstate trucking, waste hauling, taxi, limousine, shuttle and bus operators, rental vehicle fleets as well as ambulance and emergency transport. Sobel Pevzner's lawyers have defended the interests of clients in the transportation arena in actions arising out of personal injury, cargo, environmental, indemnification and insurance coverage issues. The modern day requirements of hazardous material transport have been met by cross-training among the firms' members in areas of environmental and toxic tort liability.

From its inception, Sobel Pevzner grew through the representation of many clients in a multitude of various liability arenas, including commercial transportation, which have been self-insured or who have been required to increase their self-insured retention. Members of the firm have always been keenly aware of the interplay between the cost of defense and indemnity as well as their applicability

to each specific claim. We believe that factoring the ultimate expense of the disposition of a claim must always consider both the defense costs and disposition costs to a self insured client. Sobel Pevzner takes great pride in its long term relationships with clients that heavily self-insure, and the fact that said relationships continue to this day due to our commitment to minimizing defense costs while providing our clients with the aggressive and competent defense they have come to expect from our firm.

Wherever and whenever needed, the Sobel Pevzner's emergency response team is on call to respond to calls from clients or insurers regarding a catastrophic loss or any other significant accident requiring an immediate response from our team. Our firm's transportation lawyers are prepared to go to the scene of an accident, direct investigation, mitigate the initial loss, preserve evidence and do all the necessary work up while communicating with the client or insurer to ensure that our efforts are in accordance with our client's specific needs. Sobel Pevzner's lawyers are also prepared to continue to monitor and handle such matters from the point of the emergency response through the successful culmination of any suit that may arise from a catastrophic loss or any other event requiring an emergency response.

Workers' Compensation

The firm provides full-service representation in the defense of workers' compensation matters in New York and New Jersey. We represent insurance carriers, third-party administrators, self-insured employers, as well as employers not covered by workers' compensation insurance. The firm is well-versed in the intricacies of this practice and the stringent deadlines imposed on the insurance carriers by the Workers' Compensation Board, especially in New York State.

To ensure the aggressive defense of these matters and to limit the exposure of work-related claims, we undertake a proactive approach from the inception of the claim.

Additionally, to ease the carrier's burden, our firm helps to ensure that the filing deadlines are met and all of the

carrier's defenses are preserved in controverted matters. Specifically, at the client's request, we file WCB forms, schedule IME's, address matters relating to Medical Treatment Guidelines, as well as handle the appeals.

The firm understands that this area of law is a highly specialized and fast-paced. We, therefore, provide our clients with the most effective and strategic approach to litigation or settlement. The Sobel Pevzner, LLC. often holds seminars for our clients to advise on new updates in Workers' Compensation law and to provide the support necessary in obtaining successful results and minimizing exposure.