

MARKS | O'NEILL

O'BRIEN · DOHERTY · KELLY



Profile

Melissa Brown is a Senior Partner with Marks, O'Neill, O'Brien, Doherty & Kelly's New Jersey Office. She is admitted to practice in New Jersey and Pennsylvania Federal and State Courts. Melissa serves as the Chair to the New Jersey Attorney Ethics Committee, District IV, having been appointed to the role by the New Jersey Supreme Court.

Since joining Marks O'Neill in 2008, Melissa has represented clients in litigation arising from Professional Liability and Healthcare, Labor and Employment, Cyber Liability and Data Security, Municipal and Public Entity Liability, Premises Liability and Casualty. Melissa heads up our Cyber Litigation and Data Security Department. She defends corporations and individuals in cyber litigation and data security breaches. She defends professional malpractice claims against professionals in the legal, medical, financial, insurance, and real estate industries. She represents employers in labor and employment disputes arising from wrongful termination, discrimination and executive malfeasance. She defends medical professionals in complaints before the New Jersey Medical Boards. She handles negligence claims arising from hiring, training and security resulting in sexual misconduct. She has significant class action litigation experience ranging from national medical billing to prisoner strip searches to COVID educational reimbursement litigation. She also has extensive practice in dram shop liability and casualty. Melissa has represented clients before the Third Circuit and the New Jersey Supreme and Appellate Courts resulting in several published cases.

Melissa has been selected as a Super Lawyer Rising Star from 2013-2022. This is an award conferred by Super Lawyers who reports that this honor is bestowed on only 2.5% of attorneys in the State of New Jersey who are 40 years old or younger. A description of the selection methodology can be found at https://www.superlawyers.com/about/selection_process_detail.html. No aspect of this award has been approved by the Supreme Court of New Jersey.

Melissa has lectured on the topics of deliberate indifference, medical malpractice, medicine, civil practice, expert discovery, ethics, workplace harassment and employment discrimination, alternative dispute resolution and insurance bad faith.

Melissa J. Brown

PARTNER / NEW JERSEY

Phone 856-406-1321

Email MBrown@moodklaw.com

Education

- J.D., Rutgers School of Law, 2007
- B.A., Rutgers College, 2004

Bar Admissions

- Pennsylvania
- New Jersey
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. Court of Appeals for the Third Circuit
- U.S. Supreme Court

Bar Associations

- American Bar Association
- Camden County Bar Association

Practice Areas

- Employment Law, Municipal & Public Entity
- Healthcare & Catastrophic & Excess Loss
- Professional Liability

Office

New Jersey
Cherry Tree Corporate Center,
535 Route 38 East, Suite 501,
Cherry Hill, NJ 08002

MARKS | O'NEILL

O'BRIEN · DOHERTY · KELLY

Representative Cases

Stancil v. ACE USA, 211 N.J. 276 (2012)(Workers' Compensation Act does not create common law remedy for willful failure to comply with Court orders).

Dasaro v. Correct Care Solutions, 19-1336 (2020)(Third Circuit affirmed grant of summary judgment to correctional medical entity and providers in deliberate indifference and medical negligence claims in wrongful death case).

Estate of Greenstein v. Regency Heritage Nursing & Rehab, 2020 N.J. Super. Unpub. LEXIS 440 (2020) (App. Div. affirmed dismissal of medical malpractice action in favor of arbitration).

Soto-Munuz v. Corizon, Inc., 665 Fed. Appx. 226 (3d Cir. 2016) (Third Circuit affirmed grant of summary judgment to correctional medical entity and provider in deliberate indifference case arising from Gastrointestinal care).

Formica v. Atlantic City Board of Education, 2011 N.J. Super. Unpub. LEXIS 2091(2011)(App. Div. affirmed summary judgment on plaintiff's claims of retaliation and failure to accommodate under the LAD).

Wilson v. Correctional Medical Services, 412 Fed. Appx. 424 (2010)(Third Circuit affirmed dismissal of correctional malpractice claims due to plaintiff's failure to exhaust administrative remedies).

Agostino v. Credit Collection Services, 210 U.S. Dist. Lexis 135310 (2010)(Denial of FDCPA and RICO class certification)

CCC Atlantic, LLC. V. Silverang, Donohoe, Rosenzweig & Haltzman, LLC, 18-cv-17433 (July 25, 2019) (Summary Judgment granted in a legal malpractice action arising from complex commercial litigation with alleged damages in excess of \$50 million dollars).

Perez v. Nour Pharmacy, PAS-L-3289-18 (2019)(Motion to Dismiss granted in wrongful death opioid litigation).

J.P. v. Nature's Classroom, MER-273-15 (2018) (Motion to Dismiss granted in favor of camp arising from sexual misconduct case involving a minor with special needs).

Moreland v. Mercer County Improvement Authority, A-1645-19 (2022)(Appellate Division affirmed grant of summary judgment to public entity on various Title 59 immunities in wrongful death case involving a toddler).

Estate of Harrison v. Trump Plaza Hotel & Casino and Hoot Owl Restaurants, LLC, 12-6683 (2016) (Summary Judgment granted on dram shop claims in wrongful death litigation).