

Diana C. Manning

Firm Managing Principal

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Diana Manning is Bressler's Managing Principal. Diana has over two decades of experience in complex commercial litigation at both the trial and appellate levels. Diana is a Principal in Bressler's New Jersey office, is Co-Chair of the firm's Business and Commercial Litigation practice group, and spearheads the firm's Appellate practice team. Diana has developed a successful track record of trial verdicts and settlements, especially in complex matters. She also has a reputation as a strategic, thoughtful, and fearless advocate for all of her clients.

A distinguished trial lawyer, Diana is Certified by the Supreme Court of New Jersey as a Civil Trial Attorney. She is also an accomplished appellate lawyer who has participated in six matters before the New Jersey Supreme Court, including arguing four times. Diana is an avid presenter and author on business litigation, legal ethics, and professional liability. She is the author of the New Jersey Chapter of *The Law of Lawyer's Liability: Fifty-State Survey of Legal Malpractice*, ABA/First Chair Press, which provides an overview of the laws governing attorney malpractice in each state.

To date, Diana's distinguished career has brought her offices and honors from many professional and legal industry organizations. Diana served on the District XA Ethics Committee for 10 years and was appointed Chair by the New Jersey Supreme Court from 2017-2019, she is a member of the New Jersey State Bar Association's Board of Trustees, and is currently Chair of its Amicus Committee, and Vice Chair of its Appellate Practice Committee. She is also a member of the Executive Board of the New Jersey Women Lawyers Association, and is a Past President of Trial Attorneys of New Jersey, the Morris County Bar Association, and the Morris County Bar Foundation. Rated AV-Preeminent by Martindale-Hubbell, she has also been professionally recognized as a "Top 100 Lawyers in New Jersey" by *Super Lawyers* and a "Top 50 Women Lawyers in New Jersey", a "Top Women Lawyer" by the *New Jersey Law Journal*, and named in *Best Lawyers - The Best Lawyers in America list*. In 2017, Diana received the Professional

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AREAS OF PRACTICE

Alternative Dispute Resolution
Appellate
Business & Commercial
Litigation
COVID-19 Task Force
Insurance Coverage Disputes &
Bad Faith Claims
Professional Liability

EDUCATION

- Rutgers University School of Law - Newark, J.D., 1993
- Rutgers College, Rutgers University, B.A., 1990

ADMISSIONS

New Jersey
New York
U.S. District Court, District of
New Jersey
U.S. District Court, Southern
District of New York
U.S. Court of Appeals, Third
Circuit

Lawyer of the Year Award conferred by the New Jersey Commission on Professionalism of New Jersey.

Awards & Accolades

- Certified by the Supreme Court of New Jersey as a Civil Trial Attorney, (March 2011 - present)
- Recognized in *Super Lawyers*, "Top 100 Lawyers in New Jersey," 2018, 2019, 2020, 2021
- Recognized in *Super Lawyers*, "Top 50 Women Lawyers in New Jersey," 2013, 2017, 2018, 2019, 2020, 2021
- Recognized in *New Jersey Super Lawyers*, 2009-2021
- Recognized in *The Best Lawyers in America*®, 2015-2021
- Recognized as "Lawyer of the Year," 2020, in the area of Professional Malpractice Law - Defendants in Newark
- Fellow, American Bar Foundation
- Recognized in *New Jersey Law Journal's* "Top Women in Law," 2016, 2020
- Recognized in *NJBIZ* Vanguard Series: "Leaders in Law," 2018
- Recognized on the *Super Lawyers* "Rising Stars" List, 2006-2007
- Martindale-Hubbell AV® Preeminent Rating
- Martindale-Hubbell's "Bar Register of Preeminent Women Lawyers," 2012-2013
- Recognized on the *New Jersey Law Journal's* "40 Under 40" List, 2007

Experience

- *Meisels v. Fox Rothschild LLP*, 240 N.J. 286 (2020)
- *Dimitrakopoulos v. Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, P.C.*, 237 N.J. 91 (2019)
- *Francesse v. Am. Modern Ins. Grp., Inc.*, 383 F. Supp. 3d 336 (D.N.J. 2019)
- *Dimitrakopoulos v. Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, C.*, 237 N.J. 91 (2019), wherein the New Jersey Supreme Court held that the entire controversy doctrine bars a legal malpractice claim asserted by a former client who has failed to assert the claim in a previous fee collection action brought by the client's attorney, provided the client had a fair and reasonable opportunity to assert the claim in the collection action.

U.S. Court of Appeals, Second Circuit

U.S. Supreme Court

U.S. Bankruptcy Court, District of New Jersey

- *In re Accutane Litigation*, 234 N.J. 340 (2018), the seminal case on admissibility of expert scientific testimony in which the New Jersey Supreme Court adopted consideration of the federal *Daubert* standards, and emphasized a trial court's proper "gatekeeping" role in seeking to disallow generally unreliable, unsound, and unaccepted expert testimony from reaching a jury.
- *Motorworld, Inc. v. Benkendorf*, 228 N.J. 311 (2017), which dealt with novel issues of interpretation related to New Jersey's Uniform Fraudulent Transfer Act.
- *Guido v. Duane Morris, LLP*, 202 N.J. 79 (2010), a landmark case that involved the impact of a settlement on a legal malpractice claim. *Kranz v. Tiger*, 390 N.J. Super. 135 (App. Div.), *den.*, 192 N.J. 294 (2007)
- *Stoekel v. Twp. of Knowlton*, 387 N.J. Super. 1 (App. Div.), *den.*, 188 N.J. 489 (2006)
- *Jerista v. Murray*, 185 N.J. 175 (2005)
- *Grzanka v. Pfeifer*, 301 N.J. Super. 563 (App. Div. 1997), *den.*, 154 NJ 607 (1998)

News & Alerts

Bressler Amery Names 1st Woman Managing Principal
Media Mention, *Law360*, 04.22.2021

Bressler, Amery & Ross Announces New Managing Principal Diana Manning
Firm News, 04.21.2021

'Not as Common as It Should Be': Diana Manning Elected Managing Partner of Bressler Amery
Media Mention, *New Jersey Law Journal*, 04.21.2021

15 Bressler Attorneys Recognized as 2021 Super Lawyers in New Jersey
Firm News, 03.23.2021

Bressler, Amery & Ross Expands Business & Commercial Litigation Practice with Addition of Loren Pierce
Firm News, 03.15.2021

Diana Manning of Bressler, Amery & Ross Named a Top Woman in Law by the New Jersey Law Journal
Firm News, 11.06.2020

Diana Manning Named to New Jersey Law Journal's Top Women in Law 2020
10.20.2020

44 Bressler Attorneys Recognized By Best Lawyers in America 2021, Including 2 "Lawyers of the Year"
Firm News, 08.20.2020

Diana C. Manning of Bressler, Amery & Ross Elected Vice President of NJWLA
Firm News, 06.17.2020

Diana Manning was named a Top Morris County Lawyer
Firm News, *Morris/Essex Health & Life Magazine*, 06.01.2020

Speaking Engagements & Events

Diana Manning to Speak at the NJSBA Annual Meeting
Speaking Engagement, 05.20.2021

Diana Manning and Risa Rich to Speak at the NJSBA Annual Meeting
Speaking Engagement, 05.20.2021

Diana Manning to Speak at NJICLE Program: Webcast - A Day on Evidence
Speaking Engagement, 04.23.2021

Diana Manning to Speak at NJWLA's Lawyering Skills for Associate Success
Speaking Engagement, 02.05.2021

Diana Manning to Moderate a New Jersey Women Lawyers Association Professionalism Panel
Speaking Engagement, 12.01.2020

Diana Manning to Speak at the NJICLE Winter Conference
Speaking Engagement, 11.23.2020

Navigating the Ethical Minefield of the New Normal Due to COVID-19: Legal Malpractice Issues Emerging from the Pandemic
Speaking Engagement, 10.20.2020

Diana Manning to Present at the MCBA Civil Case Law Update
Webinar, 09.15.2020

Diana Manning to Speak at NJICLE Program: Navigating the Minefield of the New Normal Due to COVID- 19- Legal Malpractice Issues Emerging from the Pandemic
Webinar, 07.27.2020

Articles & Publications

Practical Law Commercial Litigation Q&A - Equitable Remedies for Contract Actions: Pennsylvania
Publication, *Thomson Reuters*, 03.09.2021

Practical Law Commercial Litigation Q&A - Quasi-Contract Claims: Pennsylvania
Publication, *Thomson Reuters*, 03.05.2021

Practical Law Commercial Litigation Q&A - Contract Basics for Litigators: Pennsylvania
Publication, *Thomson Reuters*, 03.05.2021

Practical Law Commercial Litigation Q&A - Breach of Contract Defenses: Pennsylvania
Publication, *Thomson Reuters*, 03.05.2021

Practical Law Commercial Litigation Q&A - Tortious Interference: New Jersey
Publication, *Thomson Reuters*, 06.01.2020

Practical Law Commercial Litigation Q&A - Equitable Remedies for Contract Actions: New Jersey
Publication, *Thomson Reuters*, 06.01.2020

Practical Law Commercial Litigation Q&A - Fraud: New Jersey
Publication, *Thomson Reuters*, 06.01.2020

Practical Law Commercial Litigation Q&A - Breach of Fiduciary Duty: New Jersey
Publication, *Thomson Reuters*, 06.01.2020

Civic Involvement

- Board of Trustees, CASA of Morris and Sussex Counties, Inc.
- Board Member, Morris County Bar Foundation
- Fellow, American Bar Foundation

Professional Affiliations

- New Jersey State Bar Association, Member Board of Trustees
- New Jersey Women Lawyers Association, Vice President
- Trial Attorneys of New Jersey, Past President
- Morris County Bar Association, Past President
- Morris County Bar Foundation, Past President
- American Bar Association
- Claims and Litigation Management Alliance
- Defense Research Institute
- Professional Liability Underwriting Society
- New Jersey Supreme Court Committee on Women in the Courts (2008-2010)
- The Association of the Federal Bar of the State of New Jersey