

## Michael T. Hensley

Principal

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Michael T. Hensley is the Co-Chair of Bressler's Business and Commercial Litigation practice across all firm offices. Michael is a trial attorney with a diverse practice that spans complex commercial disputes, environmental, labor and employment, and professional malpractice matters. His practice focuses on high exposure individual matters, national class actions and multi-district litigation. He is retained by some of the largest companies in the world for their high stakes litigation, and routinely litigates the most complicated of cases in venues across the country.

Clients cite Michael's natural ability to present complex facts and concepts to juries in an easily understood and relatable manner, as the main reason they retain him for their high exposure litigation needs. They respect not only his proven and successful record of aggressively trying many cases to verdict, but also his creativity in creating leverage for favorable settlements where appropriate. In addition to his reputation as a formidable litigator and leading trial attorney, Michael is a respected appellate advocate who has successfully argued before multiple state Appellate Divisions and U.S. Courts of Appeal.

A firm leader, Michael is Chair of Bressler's Compensation Committee which sets compensation for all firm attorneys, and a Member of the firm's Strategic Planning Committee.

Outside of the office, Michael is on the Board of Trustees and a member of the Association of the Federal Bar of New Jersey, a member of the New York State Bar Association's Commercial and Federal Litigation Section, and a member of the Defense Research Institute.

### Awards & Accolades

- Selected to the list of *New Jersey Super Lawyers*, 2017-2022
- Selected to the list of *New Jersey Super Lawyers* "Rising Stars," 2011-2016

325 Columbia Turnpike  
Suite 301  
Florham Park, NJ 07932

17 State Street  
34th Floor  
New York, NY 10004

### AREAS OF PRACTICE

Alternative Dispute Resolution

Appellate

Business & Commercial  
Litigation

CERCLA/Superfund

Class Action and Multi-District  
Litigation

Class Action and Multi-District  
Litigation

Cybersecurity, Privacy &  
Technology

Employment Strategic Advice  
& Counseling

Environmental

Insurance Coverage Disputes &  
Bad Faith Claims

Labor & Employment Law

Labor Law

Managed Care Litigation and  
Counseling

Professional Liability

Trade Secrets & Unfair  
Competition

- Selected for inclusion in the list of *New York Metro Super Lawyers* "Rising Stars," 2012-2016

*No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. A description of the award methodologies can be found here.*

## Experience

- Bressler Achieves Big Win in a Jury Trial in New Jersey
- Lead trial attorney for an international diagnostics laboratory in professional malpractice, employment and commercial matters in New Jersey, New York and Pennsylvania.
- Co-counsel for an international diagnostics laboratory in nationwide data breach class actions and multi-district litigation.
- Outside General Counsel to international packaging firm responsible for all legal issues domestically and overseas, including litigation, corporate, transactional, real estate and employment issues.
- Lead trial attorney for prominent website in a 1st Amendment issue of first impression in New York and New Jersey, winning dismissal of lawsuits seeking to compel disclosure of anonymous posters
- Lead trial attorney for an international sugar company in complex commercial and employment matters in New York and New Jersey, including trying, to a successful verdict, a commercial arbitration hearing involving claims for breach of contract and business torts
- Lead trial attorney for an international sugar company in FLSA collective actions in Ohio
- Lead trial attorney winning the dismissal of a \$300 million fraud case against a firm client venued in New York City involving the Las Vegas monorail
- Lead trial attorney for pharmaceutical company in complex commercial litigation across the country
- Lead trial attorney for international telecommunications company in complex commercial matters in New York and New Jersey
- Lead trial attorney for product manufacturer, a public company, winning injunctive relief in preventing forced transfer of shares to shareholder
- Lead trial attorney for an international energy company in environmental and commercial matters across the country, including Colorado, Florida, Louisiana, South Carolina, Oklahoma, South Dakota, Wyoming, Missouri and New Jersey

Wage and Hour Law

## EDUCATION

- Seton Hall University School of Law, J.D., 2001
- University of Delaware, B.A., 1998

## ADMISSIONS

New Jersey

New York

Pennsylvania

U.S. District Court, District of New Jersey

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

U.S. District Court, Northern District of New York

U. S. District Court, Western District of New York

U.S. District Court, Eastern District of Pennsylvania

U.S. District Court, Western District of Texas

U.S. District Court, Northern District of Ohio

- Lead trial attorney for an international chemical company in environmental and commercial matters in New York and New Jersey
- Lead trial attorney for an international packaging company in environmental and commercial matters in New York, New Jersey and Pennsylvania
- Lead trial attorney and regional counsel for a banking client in complex commercial litigation in New York, New Jersey and Pennsylvania
- Lead trial counsel for various law firms and attorneys in professional malpractice matters in New York
- Obtained a complete reversal and remand on appeal to the Pennsylvania Superior Court in a restrictive covenant matter for a corporate client

**Michael's reported decisions include:**

- *Wilson v. Quest Diagnostics Incorporated*, 2019 U.S. Dist. LEXIS 149159 (D.N.J. September 3, 2019)(TCPA class action)
- *Cornwall Warehousing, Inc. v. Lerner*, 171 A.D.3d 540 (1<sup>st</sup> 2019)(Professional Liability)
- *Emhart Indust. V. New Eng. Container, Co.*, 2019 U.S. Dist. LEXIS 61119 (D.R.I. April 8, 2019) (Environmental)
- *Mejia v. Quest Diagnostics Incorporated*, 2019 N.J. Super. Unpub. LEXIS 483 (App. Div. March 4, 2019) (Professional Liability; Allocation of Fault; Expert Witnesses)
- *Deccola v. American Sugar Refining, Inc.*, 2019 U.S. Dist. LEXIS 30617 (N.D. Ohio February 26, 2019)(Wage & Hour Labor Law)
- *Lewis v. American Sugar Refining, Inc.*, 2019 U.S. Dist. LEXIS 18058 (S.D.N.Y. January 2, 2019)(Employment Discrimination and Retaliation)
- *Wilson v. Quest Diagnostics Incorporated*, 2018 U.S. Dist. LEXIS 212023 (D.N.J. December 17, 2018) (TCPA class action)
- *Lewis v. American Sugar Refining, Inc.*, 325 F. Supp 3d 321 (S.D.N.Y. 2018) (Employment Discrimination and Retaliation)
- *Lewis v. American Sugar Refining, Inc.*, 2018 U.S. Dist. LEXIS 139223 (S.D.N.Y. August 15, 2018) (Injunction; Employment Discrimination and Retaliation)
- *Gordon v. Dailey*, 2018 U.S. District LEXIS 50423 (D.N.J. March 27, 2018) (Securities Fraud)
- *Lewis v. American Sugar Refining, Inc.*, 2017 U.S. Dist. LEXIS 108842 (S.D.N.Y. July 11, 2017) (Employment Discrimination and Retaliation)
- *Gordon v. Dailey*, 2017 U.S. Dist. LEXIS 47281 (D.N.J. March 30, 2017) (Securities Fraud)
- *Cantine Riondo USA, Inc. v. Charles Massie LLC*, N.J. Super. Unpub. LEXIS 128 (Law Division January 20, 2017) (Attorney Client Privilege; Conflicts)
- *Gordon v. Dailey*, 2016 U.S. Dist. 80205 (D.N.J. June 21, 2016) (Securities Fraud)
- *Wolverine Flagship Fund Trading Limited v. American Oriental Bioengineering, Inc.*, 444 N.J. Super. 530 (App. Div. 2016) (cert. denied) (Securities Fraud)

- Ironridge Global IV, Ltd. v. ScripsAmerica, Inc., 2015 N.J. Super. LEXIS 2954 (Law Division November 13, 2015) (Securities Fraud; Comity)
- Ada Inv. Mgmt. v. Glassdoor, Inc., 2015 N.Y. Misc. LEXIS 1080 (Sup Ct, NY County January 19, 2015) (First Amendment; Pre-Suit Discovery)
- Franklin v. Financial Freedom Acquisition, LLC, 2014 U.S. Dist. LEXIS 44308 (D.N.J. April 1, 2014) (Banking Litigation)
- Alliance Network, LLC v. Sidley Austin, LLP, 43 Misc. 3d 848; 987 N.Y.S.2d 794 (Sup Ct, NY County 2014) (NY Judiciary Law § 587; Civil conspiracy; Personal Jurisdiction)
- Mateen v. American President Lines, 2013 U.S. Dist. LEXIS 107549 (D.N.J. July 31, 2013) (Employment Discrimination)
- International Paper Company v. Rexam, Inc., 2013 U.S. Dist. LEXIS 84615 (D.N.J. June 17, 2013) (Contract; Extrinsic Evidence; Environmental Litigation)
- EPEC Polymers, Inc. v. NL Industries, Inc., 2013 U.S. Dist. LEXIS 74642 (D.N.J. May 28, 2013) (Environmental Litigation; CERCLA)
- United States of America v. Struble, 2012 U.S. App. LEXIS 15426 (3rd Cir. July 26, 2012) (Enforcement of Settlement Agreement; Federal Tax Liens)
- Duvall Contracting LLC v. New Jersey Building Laborers' District Council, 2011 U.S. Dist. LEXIS 144915 (D.N.J. December 16, 2011) (Labor Relations; Labor Arbitration)
- IBEW Local Union No. 102 v. Star-Lo Electric, Inc., 2011 U.S. App. LEXIS 19092 (3rd Cir. September 15, 2011) (Labor Agreement; Parol Evidence)
- United States v. Struble, 2011 U.S. Dist. LEXIS 164106 (D.N.J. September 1, 2011) (Enforcement of Settlement Agreement)
- White v. Kolinsky, 2011 U.S. Dist. LEXIS 54746 (D.N.J. May 18, 2011) (Securities Fraud)
- IBEW Local Union No. 102 v. Star-Lo Electric, Inc., 2010 U.S. Dist. LEXIS 152958 (D.N.J. June 11, 2010) (Labor Agreement; Parol Evidence)
- IBEW Local Union No. 102 v. Star-Lo Electric, Inc., 2010 U.S. District LEXIS 152205 (D.N.J. May 6, 2010) (Labor Agreement; Parol Evidence)
- Cont'l Cas. Co. v. Healthprime, Inc., 2009 U.S. Dist. LEXIS 135811 (N.D. Ga. September 21, 2009) (Pre-judgment Writ of Attachment; Injunctive Relief)
- Stevens v. Welch, 2011 U.S. Dist. LEXIS 12142 (D.N.J. February 7, 2011) (Personal Jurisdiction)
- White v. Kolinsky, 2010 U.S. Dist. LEXIS 143096 (D.N.J. December 16, 2010) (Sham Affidavit Doctrine)
- Interactive Telecommunications Services, Inc. v. Mil-Comm Products, Inc., 2009 WL 2601621 (N.J.Super.A.D. August 26, 2009) (Wrongful Discharge; Wage & Hour)
- Cont'l Cas Co. v. Healthprime, Inc., 2009 U.S. Dist. LEXIS 139938 (N.D. Ga. June 18, 2009) (Piercing Corporate Veil; Successor Liability)
- Cont'l Cas Co. v. Healthprime, Inc., U.S. District LEXIS 127044 (N.D. Ga. December 15, 2008) (Insurance; Statute of Limitations)

- *Napp Technologies, LLC v. Kiel Laboratories, Inc.*, 2008 U.S. Dist. LEXIS 100734 (D.N.J. December 12, 2008) (Breach of Contract)
- *Baker v. J.J. DeLuca Company, Inc.*, 2008 WL 4648235 (N.J.Super.A.D. October 10, 2008) (Construction Negligence; Statute of Limitations)
- *Vanalt Elec. Constr., Inc. v. Selco Mfg. Corp.*, 2008 U.S. Dist. LEXIS 546 (E.D.P.A. January 4, 2008) (Award of Prejudgment Interest)
- *Vanalt Elec. Constr., Inc. v. Selco Mfg. Corp.*, 233 Fed. Appx. 105; 2007 U.S. App. LEXIS 10881 (3rd Cir. May 8, 2007) (Breach of Warranty)
- *Vanalt Elec. Constr., Inc. v. Selco Mfg. Corp.*, 2005 U.S. Dist. LEXIS 33151 (E.D.P.A. December 15, 2005) (Amendment of Judgment)

## News & Alerts

New Jersey Supreme Court to Address Affidavit of Merit Requirement for Vicarious Liability Claims Alert, *Business & Commercial Litigation Law Alert*, 05.05.2022

13 Bressler Attorneys Recognized as 2022 Super Lawyers in New Jersey Firm News, 03.18.2022

## Speaking Engagements & Events

Ethical and Practical Considerations Related to Confidentiality for In-House Counsel Speaking Engagement, 01.28.2022

Michael Hensley to Speak at a Virtual CLE Event Hosted by The Association of the Federal Bar of New Jersey Speaking Engagement, 12.14.2021

## Professional Affiliations

- The Association of the Federal Bar of New Jersey
  - Board of Trustees and Member
- New York State Bar Association
  - Member, Commercial and Federal Litigation Section
  - Member, Committee on Commercial Division
- Member, Defense Research Institute
  - Member, Medical Liability & Healthcare Committee
  - Member, Commercial Litigation Committee
  - Member, Employment & Labor Law Committee

## **Get to Know Michael**

Michael loves sports, and is loyal to his Maryland upbringing in rooting for his Baltimore Ravens, Baltimore Orioles and Maryland Terrapins.