

Olivier Salvagno

PARTNER

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I often meet very intelligent, entrepreneurial, and successful people who are encountering a difficult period in their lives by having to deal with the litigation process. Whether the client is a Fortune 50 company or a sole proprietorship, effective maneuvering through the litigation process invariably requires a significant measure of personal counseling and guidance. Whether it's taking the time for a call or email on an evening or weekend, this personal connection is a critical part of the attorney-client relationship, and makes a real difference.

Olivier concentrates his practice in business litigation, real estate litigation, chancery practice, and appellate practice in the federal and state courts and in arbitrations. He has handled a broad range of litigated matters on behalf of corporate, partnership, and individual clients, including breach of contract cases, corporate and partnership disputes, business torts, contested trust and estate matters, and professional liability matters.

Results may vary depending on your particular facts and legal circumstances.

HONORS & AWARDS

- Listed in *Super Lawyers - New Jersey Rising Stars* (a Thomson Reuters business) in the Business Litigation practice area (2010 – 2012)

Departments

Litigation

Practice Groups

Construction Disputes

Education

Seton Hall University School of Law, J.D., 1998

Rutgers University, Rutgers College, B.A. with honors, Phi Beta Kappa, 1995

Bar Admissions

New Jersey, 1998

U.S. District Court, District of New Jersey, 1998

U.S. Court of Appeals, Third Circuit, 2003

Clerkships

Former principal law clerk to The Honorable Edward W. Beglin, Jr., Assignment and Presiding (Civil) Judge of the New Jersey Superior Court (1998 – 1999)

- Martindale-Hubbell® Peer Review Rated AV® Preeminent (a trademark of Internet Brands, Inc.)

Please visit our Award Methodology page for a description of the standard or methodology on which these accolades are based. Attorney Advertising: No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

REPRESENTATIVE MATTERS

Results may vary depending on your particular facts and legal circumstances.

- Played an important role in the firm's successful representation of film and Broadway producer Marty Richards, establishing at the trial court, Appellate Division, and the Supreme Court of New Jersey, that Mr. Richards, as a surviving spouse of Mary Lea Johnson Richards, one of J. Seward Johnson Sr.'s children listed in a 1961 Charitable Lead Trust, was a beneficiary of the Trust entitled to distributions from the Trustees of the Trust. The Trust had a value at the time of the trial of approximately \$300 to \$350 million. The Supreme Court decision in this case can be viewed [here](#).
- Counseled a physician who was co-founder, President, CEO, and 50 percent shareholder of a prominent emergency physician group in litigation against the physician who was the other 50 percent shareholder of the group, in which the relief sought included a preliminary and permanent injunction, remedies under the Oppressed Shareholder Statute, and damages for fraud, breach of fiduciary duty, breach of duty of loyalty, and mismanagement.
- Represented the developer of the retail portion of a ground-up mixed-use construction project in Essex County, in a seven-day arbitration against the developer of the residential portion of the project, involving disputes over "general conditions of construction" and "soft costs."
- Successfully represented the owner of 25 percent interests in several related small businesses in a lawsuit against the principal owners of the businesses, alleging, among other causes of action, violations of the Oppressed Shareholder Statute.
- Successfully represented an accounting firm against a former employee accountant, in a suit alleging breach of the duty of loyalty, unfair competition, theft of confidential information, and violations of the New Jersey Computer-Related Offenses Act.
- Counseled three business entities and four of the five family members who were principals of those entities through an eight-year dispute that involved litigation, mediation, and arbitration against a fifth family member. The matter included claims for partition by sale of the family properties, breach of fiduciary duty, mismanagement, and other claims in connection with the business entities and properties.
- Represented one of the United States' top hotel developers in litigation against an architect and several contractors relating to the rehabilitation and renovation of a first-class hotel property located in Somerset County, New Jersey.

Olivier Salvagno (Cont.)

- Represented one of the nation's largest providers of personal training services in litigation brought by an owner of a gym facility, alleging various business torts.
- Negotiated a favorable settlement on behalf of a registered home improvement contractor of an action involving Consumer Fraud Act claims.
- Played an important role in the firm's successful defense of a Top 25 accounting firm against claims of professional malpractice. The Superior Court of New Jersey Appellate Division decision can be viewed [here](#).
- Obtained dismissal, following a period of jurisdictional discovery, of two "upstream" corporate owners of a nursing home, in a lawsuit alleging claims under the New Jersey Nursing Home and Rights of Residents Act, negligence, gross negligence, and wrongful death.
- In connection with a New Jersey company's defense of a multinational corporation's lawsuit alleging misappropriation of its formulas and trade secrets, Olivier played a substantial role in having certain misappropriation claims barred by the Court in *in limine* motion practice.

UNIQUELY NJ

- New Jersey Supreme Court District Ethics Committee for District VIII (Middlesex County), which is charged with investigating and prosecuting alleged violations of attorney ethics rules by members of the New Jersey Bar (2017-2021 term)
- Association of the Federal Bar of New Jersey
- New Jersey State Bar Association

MORE ACTIVITIES & EXPERIENCE

- Olivier is fluent in French
- While attending law school, served as Articles Editor of the *Seton Hall Legislative Journal*

PRESENTATIONS & SPEAKING ENGAGEMENTS

Presenter, Settlement of Lawsuits - The Pitfalls That Can Be Encountered and How To Avoid Them
Sponsor: *Greenbaum, Rowe, Smith & Davis LLP CLE Seminar*, December 2010

PUBLICATIONS & ALERTS

Author, Court of Appeals for the Third Circuit Holds that Computer Fraud and Abuse Act Provides for Civil Remedies
Middlesex Advocate, Middlesex County Bar Association, January 2007