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**NEW JERSEY  
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AWARDS**

**2020**

**PROFESSIONAL EXCELLENCE**

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**LITIGATION DEPARTMENT OF THE YEAR**

**ELLIOT D. OSTROVE,  
DANIEL “DONNY” EPSTEIN,**



PHOTO BY DAVID ZIMAND

Elliot Ostrove, left, and Daniel Epstein, right

# 'The Goal is Client Specific,' Epstein Ostrove Says

"Success in any climate requires zealous advocacy," partner Elliot Ostrove says. "Our clients know that there is little that compares to our ability to achieve their desired result. The goal is client specific. We then focus the heart and soul of our lawyers and staff on that goal."

**E**pstein Ostrove is this year's Litigation Department of the Year for general litigation, small firm.

\*\* The responses below were provided by Ostrove and edited lightly for style. \*\*

## What are some of the department's most satisfying successes of 2019, and why?

One of the more significant injury recoveries of 2019 was negotiated by **Daniel Epstein** and **Salomao Nascimento** for a motor vehicle crash in Burlington County. The defendants retained an engineer to argue that the injuries were not caused by the accident. The firm's pretrial motion practice and presentation on the day of trial forced the defendants to reassess their position and the matter settled for \$1.7 million dollars and a stipulation of confidentiality.

A settlement between the Chai Center for Living Judaism Inc. and the Township of Millburn highlighted the tenacity and creativity of our attorneys. The final settlement negotiated by **Elliot Ostrove** resolved more than a decade of litigation between the parties. What started out as an action by the township in 2009, evolved into no less than four separate actions between the parties. The settlement included certain restrictions for the single-family property and the ultimate payment of \$750,000 by the township to the Chai Center.

The result in *DiaJewels of NY, Inc. v. The Great Jewel Factory, LLC* was a demonstration of the firm's powerful reaction to aggressive litigation tactics while maintaining our professionalism, and the respect of our adversaries and the court. Our lawyers, including **Vahbiz Karanjia**, were successful in dismissing plaintiff's claims with prejudice and having judgment being entered in favor of our clients on their counterclaim. We systematically illustrated to the court the plaintiffs' failures, providing Judge McCloskey the tools necessary for thorough and thoughtful opinions.

## Being a Litigation Department of the Year means more than providing good counsel. How does your group go a step further for clients?

Our firm is the sum of its parts. Each lawyer and every member of our support staff - led by our office manager **Ana Quesnel** (who has worked with our firm since its inception) is ready to shoulder the burden of excellence. Paralegals, such as senior paralegal **Motolani Oyedele**, work together with our lawyers in a way that advantages our clients. Everyone is involved and works together with equal dedication towards a common goal, and that helps us achieve our best results. **Michael Heck** regularly achieves settlements for our clients that are six and seven figures and that are reported in the Law Journal. Less publicized, but no less important is the exceptional lawyering exhibited by **Christopher Portee**, chair of our premises liability department,

the excellent helming of the workers' compensation department by **Victor Broccoli**, the transactional services provided by our of counsel **Stephen Kaplitt**, our burgeoning immigration practice run by of counsel **Ana Yngelmo**, and the tenacious commercial litigation brief writing and stratagems of experienced litigators **Maureen Pavely** and **Kenneth Hayes**.

## In 2020, the coronavirus has brought big changes to law practice. What have been some of your department's adaptations?

On the health and safety front, we have been vigilant about keeping up to date with what seems to be ever-changing guidance. For our employees who cannot work remotely, our office promotes social distancing, strict cleaning protocols and an in-house COVID-19 compliance monitor.

Despite these challenges, we provide the highest level of legal service to our clients. We have integrated video conferences and are well-practiced in the art of conducting depositions via video, and as such are uniquely prepared for the current trends in the practice. Postponed jury trials are an obvious hurdle to resolving a matter, but in New Jersey we are lucky to have compassionate and fair presiding judges, including Judges Happas, Ciarrocca, Miller, and Hurd and so many other leaders of the bench and bar that have provided great guidance and have exhibited the innovation necessary to respond to the current challenges facing litigants and their trial lawyers.

## The market for legal services has been changing since well before 2020. What does success require in this climate?

Success in any climate requires zealous advocacy. Our clients know that there is little that compares to our ability to achieve their desired result. The goal is client specific. We then focus the heart and soul of our lawyers and staff on that goal. We love what we do, and it shows in our client relationships, work product, relationships with adversaries, and at our court appearances.

## Litigators are extraordinarily busy people. What does the firm do to ensure that they remain engaged with pro bono work, their communities and their families?

We are a family-oriented firm. Every year we have a "Family Fun Day" with our staff and lawyers, and their loved ones. Our lawyers, such as **Jasmine Brown Seabrooks**, who co-chairs the Diversity Committee for New Jersey Association of Justice, contribute consistently to the social needs in our legal community. The Firm has supported the charitable needs in our local community, sponsoring community events and joining other community organizations to support local needs. Pro bono services are regularly provided, including representing a non-profit that supports the albinism community and representing Holocaust survivors pursuing certain benefits from the German government. ■