

# TRUE COUNSEL®

SUMMER 2025

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## BRIAN G. PAUL NAMED TO TOP 100 SUPER LAWYERS® FOR FOURTH TIME AS ELEVEN SZAFERMAN LAKIND ATTORNEYS EARN 2025 HONORS

The firm is proud to announce that eleven (11) Szaferman Lakind attorneys have been included in the 2025 New Jersey Super Lawyers lists\* issued by Thomson Reuters.

Recognized by their peers in the legal community, the attorneys included in the 2025 list represent four (4) practice areas including: Family Law, Employment Litigation, Workers' Compensation and Personal Injury.

We are especially proud to highlight that Co-Managing Partner Brian G. Paul has been included in the Top 100 Super Lawyers list for the fourth time. This esteemed recognition underscores his exceptional legal expertise, leadership, and ongoing commitment to excellence in the practice of Family Law.

According to Super Lawyers, "Each candidate is evaluated on 12 indicators of peer recognition and professional achievement. Selections are made on an annual, state-by-state basis. The objective is to create a credible, comprehensive and diverse listing of outstanding attorneys that can be used as a resource for attorneys and consumers searching for legal counsel." Only 5% of attorneys are selected to the Super Lawyers list and only 2.5% are selected to the Rising Stars list. Candidates are eligible for Rising Stars if they under the age of 40 or have been practicing for less than 10 years.

At Szaferman Lakind, we are honored to celebrate the accomplishments of our attorneys and their recognition in the 2025 New Jersey Super Lawyers lists. Their inclusion across a broad range of practice areas reflects their dedication and steadfast commitment to delivering exceptional legal services at Szaferman Lakind.

The attorneys selected for the 2025 list include:



\*SOME SZAFERMAN LAKIND LAWYERS WERE SELECTED TO THE SUPER LAWYERS LIST. THE SUPER LAWYERS LIST IS ISSUED BY THOMSON REUTERS. A DESCRIPTION OF THE SELECTION METHODOLOGY CAN BE FOUND AT SUPERLAWYERS.COM/ABOUT/SELECTION\_PROCESS. SZAFERMAN LAKIND LAWYERS WERE SELECTED TO THE BEST LAWYERS IN AMERICA® LIST. THE BEST LAWYERS LIST IS ISSUED BY BL RANKINGS, LLC. A DESCRIPTION OF THE SELECTIONS METHODOLOGIES CAN BE FOUND AT BESTLAWYERS.COM/METHODOLOGY. SZAFERMAN LAKIND WAS SELECTED TO THE BEST LAWYERS BEST LAW FIRMS LIST. THE BEST LAW FIRMS LIST IS ISSUED BY U.S. NEWS & WORLD REPORT AND BEST LAWYERS®. A DESCRIPTION OF THE METHODOLOGY CAN BE AT BESTLAWFIRMS.USNEWS.COM/METHODOLOGY. AV-PREEMINENT® AND PEER REVIEW RATINGS® ARE ISSUED BY MARTINDALE-HUBBELL®. A DESCRIPTION OF SELECTION METHODOLOGY CAN BE FOUND AT MARTINDALE.COM/RATINGS-AND-REVIEWS. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.



**Thomas J Manzo**  
Partner

## THOMAS J. MANZO SWORN IN AS VICE PRESIDENT OF THE NEW JERSEY STATE BAR FOUNDATION

Szaferman Lakind is pleased to share that Thomas J. Manzo has been officially sworn in as Vice President of the New Jersey State Bar Foundation. This role recognizes Tom's dedication to the legal community and his ongoing service to the profession.

The New Jersey State Bar Foundation is committed to promoting public understanding of the law and supporting legal education and outreach throughout the state. As Vice President, Tom will work alongside fellow Officers and Trustees to help advance the Foundation's mission and programs.

Tom commented "From educator training programs, to mock trials, to our legal publication for students, I could not be more excited to work with such a talented board and foundation staff to reach the public in a meaningful, unbiased way."



## SZAFERMAN LAKIND TEAM ADVANCES SEXUAL ASSAULT VICTIM'S RIGHTS IN APPELLATE COURT

On April 29, 2025, the New Jersey Appellate Division published an opinion in *J.H. v. Warren Hill Board of Education, et al.*, further upholding the 2019 extension of victims' rights in child sexual abuse matters. Thomas Manzo, Esq. argued the cause as amicus curiae on behalf of the New Jersey State Bar Association, with Craig J. Hubert, Esq. on the brief, as well as William H. Mergner, Jr. of the firm Leary, Bride, Mergner & Bongiovanni.

The Appellate Division's holding in *J.H.* confirms the application of the 2019 amendments and the supplemented statute of limitations for civil actions alleging sexual abuse. See L. 2019, c. 120 (Chapter 120) and L. 2019, c. 239 (Chapter 239). Specifically, the holding confirmed that the 2019 amendment removing the notice requirement under the Tort Claims Act applies to common law claims directly related to the sexual abuse of a minor. Furthermore, the decision holds that the 2019 amendment to the Child Sexual Abuse Act, which eliminated the "within the household" requirement, applies to any action filed after December 1, 2019, and is not limited to claims that accrued after that date.

The decision follows the 2023 Supreme Court ruling in *W.S. v. Hildreth*, 252 N.J. 506 (2023), which expanded legal recourse for victims of child sexual abuse by holding that the tort claims notice requirement does not apply in such cases, and confirmed that the CSAA amendments apply to misconduct that occurred prior to their enactment. Craig Hubert argued *W.S.* before the Court on behalf of the New Jersey State Bar Association, with Thomas Manzo on the brief as well.

While the decision is pending appeal before the New Jersey Supreme Court, it marks another significant win for child victims of sexual abuse, removing barriers and limitations in their pursuit of justice and compensation for the harm they suffered due to the grave injustices they endured as children.



**Steven Fox**  
Of Counsel

## RESTRICTIVE COVENANTS IN NEW JERSEY

*An Article By: Steven Fox*

In 2024, the Federal Trade Commission (FTC) passed a sweeping ban on non-compete agreements. This potentially altered and invalidated many employment contracts nationwide.

This final ruling by the FTC was quickly challenged. In *Ryan, LLC v. FTC*, the United States District Court for the Northern District of Texas, Dallas Division, struck down the FTC's final ruling attempting to prohibit the enforceability of non-compete agreements finding, among other reasons, that the FTC had exceeded its authority to enact such a broad directive.

In New Jersey, many employers have access to restrictive covenants that, when properly drafted and executed, are enforceable. These include non-disclosure agreements (NDAs), non-solicitation agreements pertaining to clients/customers, and non-poaching agreements prohibiting the solicitation of co-employees to leave their current employment.

Generally, to be enforceable the above agreements must satisfy all three criteria:

- 1. Legitimate Business Interest:** Businesses, organizations, and other employers can only use restrictive covenants that protect a legitimate interest such as confidential information and trade secrets. A restrictive covenant that goes beyond protecting a legitimate business interest will be deemed too broad.
- 2. No Undue Hardship:** Restrictive covenants must not put an undue burden on an employee, independent contractor, or other entity. As an example, a noncompete that is permanent will likely be too broad to enforce on the grounds that it imposes an undue hardship.
- 3. Consistent With Public Policy:** Finally, restrictive covenants must be consistent with New Jersey public policy to be enforceable. For example, a nondisclosure agreement that bars someone from reporting a crime is against public policy in New Jersey, and can be thrown out.

In considering the three criteria above, Courts will consider the length of time the restrictions are in place (generally two years maximum but the Court will consider the industry to which the restriction is being applied), the scope of the restrictions and the geographical area the restrictions apply. All three must be reasonable and serve a legitimate business interest of the party seeking to enforce the restrictions.

Additionally, New Jersey is known as a "blue pencil state" regarding restrictive covenants, meaning that Courts can modify the terms of a restrictive covenant to make the terms reasonable and enforceable instead of invalidating them altogether.

The enforceability of a restrictive covenant in New Jersey is quite often determined on a case-by-case basis and is factually sensitive. The balance of protecting an employer's legitimate business interest versus an employee's interest in gainful employment in a familiar industry is delicate and one which Courts review in great detail.

If you have any questions about restrictive covenants, please feel free to contact Steven L. Fox in our Litigation practice.

## CELEBRATING SUMMER AT THE TRENTON THUNDER: A FIRM TRADITION CONTINUES

At Szaferman Lakind, we recognize that strong teams are built both inside and outside the office. Continuing a valued tradition, our attorneys and staff recently gathered for our annual summer outing at a Trenton Thunder game.

The evening offered an opportunity to step away from daily responsibilities, enjoy time together, and strengthen the connections that support our collaborative work environment. With perfect weather and a welcoming atmosphere, the event was a reminder of the importance of fostering relationships and maintaining balance as we serve our clients.

We appreciate moments like these to reflect on our shared commitment, celebrate our team's hard work, and reinforce the camaraderie that makes Szaferman Lakind a strong advocate for our clients and our community.



*(Left to right) Thomas Manzo, Samuel Gaylord and Jenna Shapiro*

## RUNNING FOR A CAUSE: SUPPORTING COMMUNITY THROUGH LOCAL RACES

At Szaferman Lakind, community involvement is an important part of who we are. This spring, our attorneys and staff proudly took part in two local races that raise awareness and funding for meaningful causes.

Our Personal Injury Department returned to Seaside, NJ, to participate in the 2025 RunAPalooza Marathon Relay, fielding two teams for this annual event. RunAPalooza supports hunger relief, community outreach, and essential services throughout Monmouth County. We're grateful to contribute to an event that brings people together to help neighbors in need.

In addition, Partner Lindsey Moskowitz Medvin participated in the Somerset County Bar Foundation's Annual Legal Runaround 5K. This year's race benefited the Meghan Rose Bradley Foundation, an organization dedicated to advancing pediatric brain cancer research. We are honored to support such an important mission and proud of Lindsey's commitment to giving back through community engagement.

These events reflect our firm's commitment to giving back in ways that have a real impact on local families and communities. We're proud to stand alongside our neighbors, clients, and local organizations to help create positive change where it's needed most.



*(Left) Lindsey Moskowitz Medvin*



*(Left to right) Tom Manzo and Craig Hubert*

## RECOGNIZING THE DEDICATION OF OUR ADMINISTRATIVE PROFESSIONALS

Exceptional client service depends on the dedication of every member of our team. It is essential to take time to show appreciation for the administrative professionals whose hard work keeps our firm running smoothly.

Their attention to detail, reliability, and commitment behind the scenes make it possible for our attorneys to focus on serving our clients effectively. Whether managing schedules, coordinating communications, or supporting daily operations, their contributions are essential to the success of our firm.

We thank our administrative professionals for their invaluable support and for the professionalism they bring to their work every day. Their efforts do not go unnoticed, and we are grateful to have such a dedicated team.



(Left to right) Jessica Rosidivito, Craig Hubert and Christine Buono



(Left to right) Lauren Breese, Elaine Wagner and Melissa Jacobs



(Left to right) Althea Williams-Knapp, Edith Juarez (no longer with firm), Mariam Zein, Angelina Sferra and Barry Szaferman



**Janine G. Bauer**  
Partner

### JANINE G. BAUER PRESENTS AT RECORD-SETTING SPRING 2025 HISTORIC PRESERVATION WORKSHOP

On March 15, a record number of attendees gathered at the Spring 2025 Workshop, hosted by the New Jersey Historic Trust and Rutgers University, to hear Janine G. Bauer present on significant topics in the field of historic preservation.

Janine's presentation addressed key elements of historic preservation law, including emerging legal and regulatory challenges, as well as important architectural considerations relevant to preservation efforts across New Jersey. Her remarks offered valuable perspective for professionals, community leaders, and advocates dedicated to protecting historic resources and promoting responsible stewardship.

Szaferman Lakind congratulates Janine on her well-received presentation and her ongoing contributions to advancing the practice and understanding of historic preservation law.



**Samantha Garrison**  
Associate Attorney

## **SAMANTHA GARRISON, ESQ. JOINS SUMMIT OFFICE AS ASSOCIATE ATTORNEY**

Samantha Garrison, Esq. has joined the Summit, New Jersey office as an Associate Attorney in the Family Law Group. With four years of experience focusing on high-net-worth and complex matrimonial matters, Ms. Garrison brings valuable insight and dedication to her new role.

She previously practiced at Lyons & Associates, P.C., where she handled sensitive cases involving substantial assets, prenuptial agreements, and contested custody issues. Earlier in her career, Ms. Garrison served as a Judicial Law Clerk to the Honorable Nora J. Grimbergen, J.S.C. in the Essex County Superior Court, Family Part, gaining important perspective on family law from the court's view.

A graduate of Rutgers Law School-Newark, Ms. Garrison is active in the New Jersey State Bar Association's Family Law Section and the Essex County Bar Association's Young Lawyers Division. She also volunteers her time to support survivors of domestic violence and mentors aspiring family law attorneys.

She will continue her practice in divorce litigation, equitable distribution, alimony, child support, and prenuptial agreements at the Summit office, supporting clients across North and Central New Jersey.

For more information or to schedule a consultation, please contact the Summit office at (908) 219-4219.



**Janine G. Bauer**  
Partner

## **JANINE G. BAUER WINS ENVIRONMENTAL ACCESS TO PROPERTY CASE**

Representing the D'Imperio Group, a consortium of firms remediating a Superfund Site in the Pinelands in Hamilton Township, Atlantic County, N.J., Janine G. Bauer won outright summary judgment as a matter of law in Superior Court, Law Division, against a property owner that had initially refused access to the Group to continue the cleanup, arguing that the physical occupation constituted an unconstitutional taking of property. The owner counter-sued the Group for millions of dollars in damages; the Court also dismissed the counter-suit.

The Court found that the Group had the right to maintain its infrastructure on the property and access to it was required to continue the cleanup of the groundwater there, in part because the property owner knew that the remediation efforts were underway when it acquired the property through tax sale foreclosure several years ago. The Group had recorded notice of its remediation in the County's land title records in 1996. The Court held that the tax sale foreclosure process did not extinguish the Group's right to physically maintain infrastructure on the property, and to continue to access the property, for ongoing remediation, maintenance, and other lawful tasks.

The Group had obtained access to the property initially in 1994 through a judicial order, and in 1996 paid the then-owner for the right to continue to maintain infrastructure on and to access the property. The Group argued that the new owner (defendant in this case) took title subject to the existing physical occupation based on the prior judicial order, and recorded notice of it, regardless of the usual rule that a tax foreclosure wipes out pre-existing claims or encumbrances, rendering title free and clear. The USEPA also issued an Administrative Order on April 15, 2025 requiring access and continued cleanup; the Court agreed the Group had a valid and enforceable right to access the property.

Under the leadership of co-chairs Janine G. Bauer, Esq., Szaferman Lakind, and Lori Mills, Esq., Duane Morris LLP, the Group has made tremendous progress in remediating the groundwater at this Superfund Site; almost all cleanup parameters have been satisfied.

No precedent had existed before this judicial opinion on the intersection of the State's remediation access statute, the tax foreclosure statute, and a prior judicial order and recorded notice of it, including subsequent settlement with payment for access together with dismissal of the earlier access suit with prejudice.

## REFLECTIONS FROM OUR 2025 SUMMER INTERNS



Madison M. Coyne

### Madison M. Coyne

#### *What's been the most valuable lesson you've learned about working in law since you started at Szaferman Lakind this summer?*

The most valuable lesson I've learned is how to research state statutes and legislation more effectively. I have been tasked with several assignments having to do with legislation and an area of law that I was previously unfamiliar with. Those forced me out of my comfort zone, taught me how to find and interpret laws effectively and quickly, and gave me a better understanding of many of our state's laws and regulations. Doing so many different types of projects has given me experience in a plethora of new legal areas that I will definitely use going forward in my career.

#### *Where you're currently attending school, what year you're in, and what specific practice area you're hoping to focus on in your future legal career?*

I am a rising third-year law student at Widener University – Delaware Law School. Ultimately, I believe I would like to go into corporate or general business law. Both have interested me for years and I could see myself having long careers in either practice area.

#### *Looking ahead, how do you see this internship helping you with your future career in law?*

This internship will help me in my future career in multiple ways. It has shaped my understanding of what it is like to work at a firm full-time. It has also taught me crucial time and assignment management skills for the work environment. More than anything, however, this internship has given me a deeper understanding of many different areas of business law, which has widened my breadth of legal knowledge extensively. I am incredibly grateful for the opportunity that I was given this summer and I hope that I was helpful to my superiors along the way. I learned so much and I feel more confident as a budding attorney than I did two months ago.



Benjamin A. Kenyon

### Benjamin A. Kenyon

#### *What's been the most valuable lesson you've learned about working in law since you started at Szaferman Lakind this summer?*

One of the most important lessons that I've learned is that no matter how experienced or knowledgeable someone is about the law or litigation, there is always more to learn. Collaborating with other attorneys, using their insight and unique understanding of complex problems, leads to a well-rounded solution. Here at Szaferman Lakind, asking questions isn't attributed to inexperience, but rather shows an individual's commitment to their craft. Being a good lawyer is something that takes time and continued learning throughout a career. This firm has shown that one of the keys to success is constantly seeking ways to improve, while not being afraid to employ the help of colleagues.

#### *Where you're currently attending school, what year you're in, and what specific practice area you're hoping to focus on in your future legal career?*

I am entering my 3L year at Maurice A. Deane School of Law of Hofstra University. I serve as the Peer Review Editor of Family Court Review, where I oversee the article review portion of the journal's publication process. In the future, I am hoping to practice litigation. This summer, I am honing those litigation skills as they relate to personal injury and sexual assault cases.

#### *Looking ahead, how do you see this internship helping you with your future career in law?*

Law school teaches students many things, from what the law is, how to think like a lawyer, and even how to write like a lawyer. The skills learned there are useless without understanding how to be a lawyer. This internship takes the skills I've learned in school and applies them to the real world. Many of these lessons come from watching established attorneys masterfully maneuver through their workday, while asking insightful questions. Using a classic legal phrase, law school teaches you the form of law, while Szaferman Lakind has taught me the substance of the legal practice. I appreciate the opportunity the firm has given me, and I will continue to sharpen my professional skills as the Summer continues.

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## IN THE NEXT ISSUE...

*In our next edition, we look forward to introducing Zachary Jaffe, the newest attorney to join Szaferman Lakind. Zachary brings a strong foundation and enthusiasm for the practice of law, and we are excited to share more about his background and what he will bring to our team.*