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Robert P. Donovan

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Bergen County

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Practice

Litigation

For more than 15 years, Robert has been national lead trial counsel for Arizona Beverages, defending the company against putative consumer fraud class actions filed in federal courts in California, Florida, Illinois, New York, Missouri, Maryland and New Jersey. He has a depth of experience with beverage labeling claims and compliance issues arising under the Federal Food, Drug and Cosmetic Act, FDA regulations and state consumer protection statutes.

Robert represents other clients in complex commercial litigation, business torts, labor and employment matters, tort claims and municipal law. He has tried cases in both federal and state courts. He also has extensive experience on the appellate level, including having successfully argued the foundational case of *Cameco v. Gedicke*, 157 NJ Super 504 (1997), where the New Jersey Supreme Court held that an at-will employee owes a common law duty of loyalty to the employer.

Experience

Notable Class Action Cases

- *Crawford v. Arizona Beverages USA LLC*, 3:22-cv-00220, 2024 WL 1345648 (S.D. Ill. 2024) (granting summary judgment in favor of client)
- *Miller v. Arizona Beverages USA LLC*, No. 3:23-cv-03540, 2024 WL 5339466 (N.D. Cal. 2024) (granting motion to dismiss in favor of client)
- *Ries v. Arizona Beverages USA LLC, et al*, No. 10 01139 RS , 2013 WL 1287416 (N.D. Cal. March 28, 2013) (decertifying class certification of all natural claims and granting summary judgment in defendants' favor)

- *Robinson v. Hornell Brewing Co., et al*, No. 11-2183, 2012 WL 1232188 (D. N.J. April 11, 2012) (denying class certification)
- *Coyle v. Hornell Brewing Co., et al*, 08-2797, 2011 WL 2147218 (D. N.J. May 26, 2011) (reconsideration denied, 2011 WL 3859731) (denying class certification)
- *Covington v. Arizona Beverage Co., LLC, et al*, 08-21894, 2011 WL 11796786 (S.D. Florida August 25, 2011) (granting defendants attorneys' fees after entry of summary judgment)
- *Hitt v. Arizona Beverage Co., LLC et al*, 08 cv 809, 2009 WL 4261192 (S.D. Cal. Nov. 24, 2009) (denying plaintiff's motion seeking leave to amend complaint leading to dismissal of action)
- *Meyers Arizona Beverages USA LLC*, No. 1:20-cv-05543 (N.D. Ill. December 2020) (a putative multi-state class action concerning calorie content, voluntarily dismissed after filing a motion to dismiss)

Affiliations

- International Association of Defense Counsel
- Essex County Bar Association
- Union County Bar Association

Education

- Rutgers University School of Law – Newark, J.D.
- Villanova University, B.A., *magna cum laude*

Bar Admissions

- New Jersey

Court Admissions

- U.S. District Court for the District of New Jersey
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Ninth Circuit