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Harry A. Horwitz

Senior Counsel

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Practice

Labor and Employment

Litigation

Harry focuses his practice on litigation matters and has tried cases concerning joint venture and partnership disputes, employment, construction and commercial issues. He represents clients in various industries, including financial services, construction, health care, food service, distribution, manufacturing and professional and non-professional services. He is a Board Certified Civil Trial Attorney by the New Jersey Supreme Court Board on Attorney Certification.

Harry has a broad range of employment litigation experience, including non-compete and trade secret information, wrongful discharge and discrimination cases, representation cases, unfair labor practice cases, mass picketing injunctions, prevailing wage disputes and contractor registration issues. He counsels employers in compliance issues for matters involving discrimination, wage and hour, leave and other laws. Harry assists financial services clients with Uniform Commercial Code and banking litigation.

He also has tried, arbitrated and mediated cases for construction industry clients, including construction defect, contractual liability and construction and mechanics' lien claims. He handled construction cases involving surety bonds and commercial general liability insurance.

Harry has lectured on various topics such as sexual and other employment-related harassment, getting paid in the construction industry and New Jersey Construction Liens.

He served as a law clerk to the Honorable Stanley S. Brotman, U.S. District Judge, District of New Jersey. He also served as Comments Editor of *Dickinson Law Review*.

Experience

Representative Cases

- *Reakus v. Cora Capital Advisors* – successful defense of claim for bonus payment (N.J. Dept. of Labor & Workforce Development, 2018)
- *Gougou v. First National Bank of Elmer* – successful defense of claim for commissions (N.J. Dept. of Labor & Workforce Development, 2017)
- *Martin v. Associated Retinal Surgeons* – successful defense of claim for unpaid wages (N.J. Dept. of Labor & Workforce Development, 2016)
- *Hamburg v. Utz Quality Foods* – successful outside sales exemption defense at trials on ex-employees' overtime pay claims (N.J. Dept. of Labor and Workforce Development, 2012)
- *Logue v. Liberty Bell Bank* – gender pay discrimination and retaliation claims dismissed on summary judgment (N.J. Superior Court, Burlington County, 2012)
- *Mills v. Marjam* – obtained dismissal of race discrimination complaint (D.N.J., 2009)
- *Henderson v. MPC Industries* – obtained summary judgment dismissing race and disability discrimination claims (D.N.J., 2004)
- *Delaware Truck Sales, Inc. v. Wilson*, 113 N.J. 20, 618 A.2d 303 (1993) – dispute concerning rights to collateral assigned to junior creditor and mishandling of assets
- *Schroeder v. Boeing Commercial Airplane Co.*, 712 F. Supp. 39 (D.N.J., 1989) – opinion barring loss of consortium claim
- *Schroeder v. Boeing Commercial Airplane Co.*, 123 F.R.D. 166 (D.N.J., 1988) – dispute over amounts payable for plaintiff's experts deposition in aircraft product liability case

Affiliations

- New Jersey State Bar Association, Banking Law Section; Labor and Employment Section; Construction and Public Contracts Section
- American Bar Association, Labor & Employment Section; Litigation Section; Forum on Construction Law
- Food Bank of South Jersey, Board Member (2001-2009; 2011-2013); Chair of Governance Committee (2002-2013); Vice President (2002-2007 and 2009-2013); President (2007-2009)
- Colgate University, Co-President, Philadelphia District Club (2004-2019)
- Colgate University Alumni Corporation Board of Directors (2013-2017); Chair of Advancement Committee (2015-2017)
- Jewish Federation of Southern New Jersey, Board of Directors; Human Resources Committee Chair (2016-2017); Standards and Conflicts Committee Chair (2018-2020)
- Katz JCC, Board of Directors (2014-2020)

Recognition

Harry is AV® Preeminent™ rated by LexisNexis Martindale-Hubbell, which is the highest rating for legal ability and general ethics.

Education

- Dickinson School of Law of The Pennsylvania State University, J.D.
- Colgate University, B.A.

Bar Admissions

- New Jersey
- Pennsylvania
- New York
- Florida

Court Admissions

- U.S. Supreme Court
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the District of New Jersey
- U.S. Court of Appeals for the Third Circuit

Certifications

- Board Certified Civil Trial Attorney, New Jersey Supreme Court Board on Attorney Certification