



## Bataille, Troy A

**Position: Partner**

**Chair :**

**Co-Chair :**

### **Contact**

Phone: (860) 471-8353

Fax: (860) 516-9191

Email: [tbataille@gerberciano.com](mailto:tbataille@gerberciano.com)

### **Mailing Address**

P.O. Box 1060 Buffalo, New York 14201

### **Location**

Hartford, Connecticut

## **Practice Areas**

[Professional Liability](#)

[Employment and Labor](#)

[Product Liability, Fire and Life Sciences](#)

[General Litigation](#)

[Transportation](#)

[Appellate Advocacy](#)

[Toxic Tort and Environmental](#)

[Commercial and Corporate](#)

## **Admissions**

Connecticut, U.S. District Court for the District of Connecticut, U.S. Court of Appeals, Second Circuit



## Biography

Troy enjoys and has benefited from the variety that comes with spending his career at large, multi-faceted law firms. As a result, Troy's litigation experience is far-reaching including professional liability, employment, medical malpractice, commercial litigation, environmental, products liability, toxic tort, class-actions, TCPA, subrogation, construction, transportation, general liability, and appellate advocacy – to name a few. Troy often defends companies, directors and officers, executives, professional service providers, medical professionals, financial institutions, common-interest associations, non-profits, closely held businesses, and boards of directors in a variety of negligence, breach of fiduciary duty, breach of contract, vexatious litigation, and similar professional service-based claims. He has also represented real estate agents and brokers in claims involving alleged errors and omissions; auto-dealers in claims involving unfair trade; psychologists in matters involving claims of malpractice and misdiagnosis; radiologists in claims involving misreading; and long-term care facilities and nursing homes and their staff in professional malpractice and health care-related actions. Troy routinely defends employment practice liability (EPL) claims before both state and federal agencies, including the Connecticut Commission on Human Rights and Opportunities (CHRO) and the Equal Employment Opportunity Commission (EEOC). Representative matters include allegations of sexual misconduct, racial harassment, and corporate malfeasance; wage and hour matters; and actions involving the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Family Medical Leave Act (FMLA), the Employee Retirement Income Security Act (ERISA), Occupational Safety and Health Administration (OSHA) investigations, and the Connecticut Fair Employment Practices Act (CFEPA). Troy's environmental experience includes counseling manufacturers, chemical companies, cleaning and fueling companies, higher education institutions, and municipalities on state and federal regulatory compliance regarding an extensive range of environmental media and regulations, including hazardous waste; the Clean Water Act; Spill Prevention, Control, and Countermeasure Plans (SPCC); lead-based paint, underground storage tanks (USTs), and polychlorinated biphenyls (PCBs), to name a few. Troy also routinely handles environmental litigation, spill claims, and toxic exposure matters. Troy was under the age of 30 when he received the 40 Under Forty award from the Hartford Business Journal and was the second youngest to receive the honor that year. Troy was previously a law clerk for major international consumer-products corporation and also clerked for the Majority Chief Counsel for the Connecticut House of Representatives. During law school, Troy represented indigent clients for New Haven Legal Aid in the Housing Division of the New Haven Superior Court. Troy was born and raised in Milford, Connecticut; much of his large extended family remains in that area. Troy met his wife at the University of Maryland and they now lives outside of Hartford with their three daughters. Troy grew up the son of a professional handyman, so he spends many weekends on home renovations and building his wife's Pinterest projects. Troy enjoys outdoor cooking, claiming that someday he will he enter his smoked BBQ ribs in an amateur competition. Finally, with three daughters, a love of power tools, and outdoor cooking, you can be sure Troy is well versed in the local craft-beer scene.



## Education

- Quinnipiac University School of Law, J.D., *cum laude*, 2007
- Certificate (minor), Civil Advocacy and Dispute Resolution
- University of Maryland, B.A., Government and Politics, *cum laude*, 2003

## Honors

- *40 Under Forty*, *Hartford Business Journal*, 2010
- *Connecticut Super Lawyers Rising Stars*, 2015-2021

## Community

- Former Clerk, Majority Chief Counsel for the Connecticut House of Representatives
- Represented indigent clients for New Haven Legal Aid in the Housing Division of the New Haven Superior Court

## Presentations

- Presenter, “Environmental Risks at Supermarkets” Connecticut Food Association, September, 2014
- Presenter/Trainer, “EPA Trilogy: Training, Legal Risk and Compliance”
- Presenter, Environmental, Health, and Safety Brown Bag Webinar Series for College and Universities, Brown Bag Lunch Series, College and Universities 2014

## Representative Matters

Community Association: Represented Homeowner’s Association at trial and during appeal concerning shared adverse possession of shared property lines with neighboring unit owner.

Community Association: Successfully settled claims brought against out-of-state condominium majority owner and the property manager for mismanagement and fiscal malfeasance.

Community Association: Represented Homeowner’s Association in claim brought regarding failure to enforce affordable housing restrictions and the ramification on the market value of said units during resale.

Community Association: Represented Homeowner’s Association regarding claims of selective enforcement with respect to regulations against short-terms rentals of units (Airbnb, etc.).

Professional Liability: Represented 401K third-party administrator in claims regarding alleged miscalculation of plan benefits resulting in significant overpayment of funds to plan participants.

Medical Malpractice: Represented off-site radiologist regarding alleged misread resulting in a missed diagnoses and an above-the-knee amputation of a young woman’s leg.

Medical Malpractice: Represented physician’s office regarding alleged failure to recognize prescribed drug interaction resulting in death.

Catastrophic Injury: Represented Bank and loan servicing company in action



whereby at vendor suffered a broken neck and permanent injury while inspecting a recent foreclosure property.