Gerber Ciano Kelly Brady LLP

Brady, Dennis J.



Position: Partner

Chair: Retail, Food, Beverage & Hospitality

Co-Chair: General Litigation, Transportation Law

Contact
Phone: (516) 307-0913
Fax: (646) 350-1901
Email: dbrady@gerberciano.com

Mailing Address
P.O. Box 1060, Buffalo, New York 14201

Location
Garden City, New York
New York, New York
Newark, New Jersey

Practice Areas

- Transportation
- Product Liability, Fire and Life Sciences
- Retail, Food, Beverage & Hospitality
- Construction Law
- Municipal and Government
- Insurance Solutions
- General Litigation
- Business Law

Admissions

New York, U.S. District Court for the Eastern District of New York, U.S. District Court for the Southern District of New York, New Jersey, U.S. District Court for the State of New Jersey, U.S. Supreme Court

Biography

Dennis chairs the firm's Transportation Practice Group, as well as its Retail, Food, Beverage and Hospitality Practice Group. His practice is also heavily focused on Construction and Product Liability matters. For over twenty years, he has protected clients in every aspect of civil litigation from discovery to trial and appeal. He has litigated matters in several states and tried cases to verdict in state and federal courts. The National Law Journal cited one of Dennis's matters as one of the most significant settlements of the year – further testament of the trust clients have in him to handle their most severe and complex matters. Throughout his career, he has litigated matters on behalf of many prominent national insurers, municipalities, large corporations, as well as public housing and transportation authorities. He is often sought as monitoring and trial counsel for catastrophic personal injury claims facing major airlines, Fortune 500 companies, as well as some of the largest corporations in the transportation, food and hospitality industries. He regularly offers counsel on risk avoidance and provides direction to clients on insurance coverage in the context of first party, excess, self-insurance, and captive matters. Dennis is also a leader of the firm's 24-7-365 emergency response team.

Dennis understands that counseling and truly protecting clients requires understanding the intricacies and ultimate needs of their businesses. To this end, his life experience includes working on active construction projects, working for several transportation companies and many years of experience in the hospitality industry.

Dennis speaks and educates regularly at clients, trade groups, and professional organizations on topics ranging from New York's Labor Law, specifically, §§200, 240(1), 241(6) along with the applicable industrial and OSHA regulations and their application to gravity-related construction risks — commonly referred to as the "scaffolding law". Dennis understands the nuances of defenses to these claims, such as the recalcitrant worker doctrine and sole proximate cause. He also lectures on retail and hospitality exposure including "dram shop" claims and the role of security, and transportation issues ranging from aviation to commercial trucking with focus on the interrelation of Federal and State regulations and the common law.

As a result of his role in catastrophic matters, Dennis is well versed in wrongful death matters. He is adept when it comes to dealing with the reptile approach to claims. He sets a tone early that "pulling at the heartstrings" of the jury is unacceptable and will be challenged at trial. He prepares clients in relation to proper record retention, as well as ensuring all witnesses are ready for reptilian- style depositions. He has successfully filed motions *in limine* barring any mention, comment, reference, testimony or argument regarding the Golden Rule, personal safety, community safety, community fear and community conscience.

During law school, Dennis was invited to write for the St. John's University Law Review. He also interned for the Supreme Court of the State of New York, the New York State Attorney General's Office, and the Securities and Exchange Commission.

When not working, Dennis enjoys being active and spending time with his wife and three children, including skiing, all things water related and managing travel soccer for the local club. The family enjoys travel and always looks forward to their family holiday in Croatia.

Education

- St. John's University School of Law, J.D., 1992
- St. John's University of Business, B.S., 1987

Honors

- Martindale-AVVO Top Rated Lawyer (AV Preeminent Peer-Review Rating (Martindale-Hubbell)
- New York Metro *Super Lawyers*, 2015-2026 (Thomson Reuters)
- Department of Labor OSHA-10 Construction Training

Professional Leadership

- Claims and Litigation Management Alliance (CLM)
  - Regional Chair, Region 1
- New York State Bar Association
  - Member, Executive Committee Torts, Insurance, and Compensation Law Section:
  - Chair, Products Liability Committee, Torts, Insurance, and Compensation Law Section
- Queens County Bar Association
- Defense Association of New York (DANY)
- Insurance Federation of New York (IFNY)
- Brehon Law Society

Represenative Matters

***Paljevic v. 998 Fifth Avenue Corp*, 2009 Slip Op 06386** Dennis succeeded in convincing the court that there were triable issues of fact as to under Labor Law §§ 200 and 240(1).

***Kaiser v. Metropolitan Transit Authority*, 170 Misc.2d 321** Dennis convinced the court to preclude the introduction into evidence and investigation report and accident resolution report of the Public Transportation Safety Board. ***Quarles v. Columbia Suxxex Corp*, 997 F.Supp. 327** Based upon Dennis's arguments, the court concluded that his clients established no genuine issues of material fact in dispute in a "slip and fall" at a hotel. The court granted summary judgment in his favor as a result.

Community

- Past President, St. Patrick's Society of Queens

Presentations

- Presenter, " Product Liability 101," Bridging the Gap Seminar, New York State Bar Association, New York, NY, Winter 2016
- Moderator, "Product Liability CLE," Annual NYSBA Meeting, New York, NY January 29, 2015

Publications

- Referenced, "Top 50 Settlements of 2014," National Law Journal, 2014
- Referenced, "Long Island People on the Move," *Newsday*, March 12, 2012