



## Damian P. Conforti

Partner

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### Overview

Co-chair of the firm's Hospitality Law Services Practice, Damian serves as outside general counsel to closely-held companies, with a particular emphasis on the hospitality sector. He advises owners of hotels, food and beverage cooperatives, restaurants, and other leisure activity businesses on a variety of operational and legal issues, including labor and employment matters, premises liability claims, landlord tenant disputes, financing and refinancing agreements, purchase and sale agreements, and other corporate governance issues.

A seasoned trial attorney who relishes fighting for clients engaged in high-stakes litigation, Damian is also co-chair of the firm's White Collar and Criminal Defense Practice and a member of its Commercial and Corporate Litigation Practice. Relying on skills he developed as a prosecutor and public defender at the federal, state and municipal levels, he has tried to conclusion the most complex commercial, white collar criminal, and personal injury matters, including claims of professional misconduct, director and officer malfeasance, financial crimes, healthcare fraud, minority shareholder oppression, employment discrimination, tax fraud, and land use disputes.

Damian has been consistently named to the Best Lawyers in America list and New Jersey Super Lawyers list in litigation.

*\*No aspect of this advertisement has been approved by the Supreme Court of New Jersey or the American Bar Association. A description of the standard or methodology used by [Super Lawyers](#) and [Best Lawyers](#) can be found on their respective websites.*

### Professional Affiliations

- New York City Hospitality Alliance
- New York City Bar Association, Hospitality Law Committee
- New Jersey State Bar Association
- Association of Criminal Defense Lawyers of New Jersey
- Former Co-Chair, Essex County Bar Association, Criminal Law Committee
- Former Barrister, Willard Heckel Inn of Court, Rutgers Law School

### Publications

- [NJBiz Magazine: Damian Conforti's Insights on New Jersey's Food Labeling Litigation](#)
- [Partner Damian Conforti, Esq. shares his experience representing a client in the hospitality industry in this month's issue of The Commerce and Industry Association of NJ's "Commerce."](#)

- “Reel Ethics,” Webinar, Morris County Bar Association, May 5, 2021
- Sustaining Your Dental Practice in the COVID-19 World: How to Navigate Insurance Reimbursements, Avoid Clawbacks and Maximize Your Practice Value,” Webinar, March 24, 2021
- “New Jersey and New York Commander Critical Medical Supplies,” Mandelbaum Barrett PC Alert, April 9, 2020
- “How Much Are You Charging For Medical Supplies? The Federal Government Wants to Know,” Mandelbaum Barrett PC Alert, March 25, 2020
- “Would You Like Fraud With That? Examining Pharmacy Enforcement.” Lecture, American Bar Association’s 16th Annual Washington Law Summit, December 11, 2018

## Published Decisions

- [Secured \\$19.5 Million Loan Negotiation for Office/Hotel Center in Edison, New Jersey](#)
- [Negotiated Deed for Seller of Vacant Land in Edison, NJ](#)
- Served as lead defense counsel for a municipality and its commissioners accused of constitutional and civil rights violations in a federal district court trial.
- Secured a FINRA no-action letter for a broker-dealer accused of improper solicitation and unauthorized investment activity.
- Achieved the withdrawal of tax evasion and federal program fraud charges against the founder of a non-profit agency.
- Obtained a dismissal of behalf of a client accused of accounting malpractice and ethical violations by New Jersey’s State Board of Accountancy.
- Successfully defended a chiropractor and proprietor of a pain management practice investigated by the New Jersey State Board of Chiropractic Examiners.
- Led a team of former law enforcement officers in the internal investigation resulting in the removal of a corporate officer from a closely-held textile distribution company for misappropriation of company funds and materials.
- Successfully defended an executive of a closely-held company from federal allegations of kickbacks, bribery and honest services fraud in connection with the executive’s procurement of IT staffing contracts with a publicly-traded company.
- Negotiated the dismissal of federal criminal complaint alleging health care claims fraud and honest services fraud against physician and health care practice.
- Obtained dismissal of all insurance fraud charges referred to Office of Insurance Fraud Prosecutor on behalf of a pain management physician.

## Areas of Practice

- [White Collar and Criminal Defense \(Co-Chair\)](#)
- [Hospitality Services \(Co-Chair\)](#)
- [Commercial and Corporate Litigation](#)
- [Securities Law](#)
- [Healthcare](#)
- [Personal Injury](#)

## Admission

- State of New Jersey
- State of New York
- United States District Court, District of New Jersey
- United States District Courts for the Southern and Eastern Districts of New York
- United States Court of Appeals for the Third Circuit

## Education

- Seton Hall University School of Law, J.D.
- Boston College, B.A.