



Damian P. Conforti

Partner

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Overview

Co-chair of the firm's White Collar and Criminal Defense Group and a member of its Commercial and Corporate Litigation Group, Damian is a seasoned trial attorney who relishes fighting for clients engaged in high-stakes litigation. A former prosecutor and public defender at the federal, state and municipal levels, he has tried to conclusion the most complex commercial and white collar criminal matters on behalf of high-ranking government officials, corporate officers, licensed professionals and private business owners. Known for effective crisis management, Damian is also called upon before litigation ensues to lead internal investigations into a variety of business disputes and sensitive and potentially life-altering inquiries brought by regulatory agencies and prosecutors. Effectively managing and controlling costs, Damian has helped clients navigate claims of professional misconduct, director and officer malfeasance, financial crimes, healthcare fraud, minority shareholder oppression, employment discrimination, and land use and tax disputes.

Damian also dedicates a substantial portion of his practice to representing the interests of personal injury victims. Each year he litigates to conclusion a select number of catastrophic injuries suffered in auto and commercial vehicle accidents, slip and falls, and on dangerous construction sites, securing millions of dollars for his clients in the process.

In addition to his trial work, Damian serves as outside general counsel to closely-held companies, with a particular emphasis on the hospitality sector. His extensive work with owners and managers of hotels in recent years led him to form the firm's Hospitality Services Group which routinely advises hotels, restaurants, and other leisure activity businesses on any number of operational and legal issues that arise throughout the workday, including labor relations, premises liability claims, commercial leasing, banking, real estate development, purchase and sale agreements, and other corporate governance matters.

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

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Professional Affiliations

- National Association of Criminal Defense Lawyers
- New York City 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

- “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 Commandeer 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

- 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.