



## Anthony M. Rainone Member

Labor and Employment, Litigation

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“Anthony has an ability to be a guiding light through the process and also cut through layers of jargon to clarify details in simple terms. He manages the litigation process in an efficient manner. Make no mistake Anthony is aggressive and has his clients’ interests top of mind.”

~ Brad B., CEO

*\*Results may vary depending on your particular facts and legal circumstances.*

## Co-Chair, Labor and Employment

**Whether I am working with a client to solve a legal dispute (in or out of court) or keeping their family or their business affairs in order, the goal remains the same: solve the client’s problem.** No client or dispute is the same, but my determined ability to solve problems promptly remains critical.

Anthony Rainone has built a successful practice handling all manner of labor and employment, from counseling to litigation, commercial and construction disputes, and shareholder/limited liability company member disputes.

### INDUSTRIES

- Construction
- Healthcare
- Manufacturing
- Real Estate
- Technology

### EDUCATION

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

### BAR AND COURT ADMISSIONS

- New Jersey
- New York
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern

- District of New York
- U.S. District Court, Southern District of New York
  - U.S. District Court, Western District of New York

## REPRESENTATIVE MATTERS

Each lawsuit handled by Anthony depends on its unique facts and particular circumstances. An example of his successful results include:

- Obtained summary judgment order forcing the oppressing majority group of shareholders of a nutraceutical business to sell their shares to the oppressed minority group of shareholders based upon the multiple oppressive acts of the majority under the New Jersey Business Corporation Act. The oppressive acts of the majority included, but was not limited to, disbanding the duly elected board, suspending the duly appointed President, and attempting to undue previous corporate actions. During the litigation, we obtained immediate temporary restraints that undid the majority's actions above and which reinstated the duly elected board and duly appointed president during the pendency of the litigation. During the litigation, the majority set up a competing business and diverted significant revenue from the company, which competing business was shut down by the Court by entry of a preliminary injunction. *Berman v. Kane*, Chancery Division, Cumberland County, New Jersey (Dec. 2022)
- Obtained a multi-million dollar settlement of shareholder oppression claims arising out of 50+ year family run business. After several years of litigation, obtained favorable settlement for our client, a shareholder who alleged oppression by the other shareholder including the misappropriation of over \$1,000,000 from the business by the oppressing shareholder.
- Represented a beverage distributor seeking payment of a multi-million dollar termination fee under an exclusive distribution agreement with a foreign beverage manufacturer. Beverage distributor defeated the manufacturer's motion for summary judgment and resulted in a favorable resolution for the client after summary judgement. *Brands Within Reach, LLC v. Belvoir Fruit Farms Ltd.*, 2022 WL 4585445 (S.D.N.Y. Sept. 29, 2022).
- Represented homeowners in claims of Consumer Fraud Act and other violations arising out of the construction of a luxury home. After the trial court prematurely dismissed the architect and engineer professionals, successfully obtained interlocutory appeal and reversal of the Court's dismissal of the Consumer Fraud Act and other claims against the professionals. *Losasso v. Calvitti Pools & Spas, Inc.*, 2022 WL 1916773 (N.J. Super. Ct. App. Div. June 6, 2022).
- Represented a WBE/MBE construction company in defense of claims by pension and welfare funds seeking hundreds of thousands of dollars in contributions. Obtained a published decision from the Third Circuit Court of Appeals affirming the grant of a preliminary injunction restraining an arbitration proceeding initiated by the funds, and subsequently obtained summary judgment for the client dismissing all claims by the funds with prejudice. *MZM Constr. Co., Inc. v. New Jersey Bldg. Laborers' Statewide Benefit Funds*, 2022 WL 1320619, at \*1 (D.N.J. May 3, 2022); *MZM Constr. Co., Inc. v. New Jersey Bldg. Laborers Statewide Benefit Funds*, 974 F.3d 386 (3d Cir. 2020).
- Represented a subcontractor against a general contractor under the Prompt Payment Act for failure to pay for services rendered. After prevailing in the trial court on the substantive claims and recovering the full amount of the client's claim, we then obtained a published decision from the Appellate Division ordering full award of attorneys' fees and costs under the Prompt Payment Act. The Appellate Division held for the first time that the Prompt Payment Act's attorneys' fees and costs provision does not require that the award be

proportionate to the amount of the claim at issue. *JHC Indus. Servs., LLC v. Centurion Companies, Inc.*, 469 N.J. Super. 306 (App. Div. 2021).

- Represented construction company in defense of successor liability/alter ego claims by pension and welfare funds seeking to enforce a six figure judgment against a subsequently formed entity. Obtained summary judgment dismissing all claims against the construction company. *Nacirema Demolition & Recycling Inc. v. New Jersey Bldg. Laborers Statewide Benefit Funds*, 2020 WL 1041376, at \*1 (D.N.J. Mar. 4, 2020).

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## AWARDS



**Best Lawyers®**  
**Employment Law -**  
**Management,**  
**Litigation - Labor**  
**and Employment**  
**list\***

2023



**Super Lawyers®**  
**New Jersey Super**  
**Lawyers® Top 100,**  
**2020 list\***

2017-2023



**Super Lawyers®**  
**New Jersey Super**  
**Lawyers® Rising**  
**Stars**

2009-2016



**Super Lawyers®**  
**New Jersey Super**  
**Lawyers® list\***

2024



**Martindale-**  
**Hubbell® - AV**  
**Preeminent Rating**

\*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.  
[Click here for the Awards and Honors Methodology.](#)

## PROFESSIONAL ACTIVITIES

- Board Member - [Center for Great Expectations](#)
- Member/Sponsor - [NJBIA, Employment and Labor Law Policy Committee](#)
- Founder/President/Board Member - [North Caldwell FC Inc.](#)
- Secretary/Board Member - [North Caldwell Recreation Foundation, Inc.](#)
- Past Chair - New Jersey Supreme Court District V-C Ethics Committee
- Past President - [North Essex Chamber of Commerce](#)
- Past Member - Caldwell University Business Advisory Council
- Past Member - Lakeland Bank Business Advisory Council

## Insights

B|E in the News - July 1, 2024

**Punching In: How Case on Agency Judges Impacts DOL, Immigration**

B|E in the News - June 28, 2024

**SEC In-House Judges Ruling Will Ripple to Other Agencies**

B|E in the News - June 27, 2024

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**Uber Luxury Drivers Dispute Will Ripple Beyond Trial's Endgame**

Alerts - June 7, 2024

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**EEOC's Updated Guidance on Identifying and Preventing Workplace Harassment**

Alerts - May 21, 2024

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**Upcoming Increases to the Minimum Salary Requirements for Overtime Exempt Employees**

Awards - March 26, 2024

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**33 Attorneys from Brach Eichler Recognized for Inclusion in 2024 Edition of the New Jersey "Super Lawyers" list by Super Lawyers®**

Newsletters - March 19, 2024

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**Litigation Quarterly Advisor: Commercial Litigation Edition - Winter 2024**

B|E in the News - November 8, 2023

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**Former Linde GC Urges 3rd Circ. To Reverse Benefit Suit Loss**

Awards - August 17, 2023

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**Forty Total Brach Eichler Attorneys Recognized by Best Lawyers in America© 2024**

Articles - July 25, 2023

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**What Can I Deduct From My Employees' Paychecks?**

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