



Paul J. DeMartino, Jr. Counsel

Healthcare Law, Litigation

973.364.5228 · 973.860.4221 Fax
pdemartino@bracheichler.com

Paul J. DeMartino, Jr. is an experienced business litigator representing clients in a broad range of commercial disputes in healthcare and real estate industries among others. Paul specializes in healthcare litigation with an emphasis in representing physicians, medical practices, ambulatory surgery centers and hospital systems navigate through complex business matters often involving contractual and shareholder disputes. More specifically, Paul has first-hand knowledge of the delicate issues that physicians and medical providers encounter daily from a clinical and regulatory perspective to the interpolitics between practice members, partners, employees, and hospital staff. Paul is an experienced advocate for clients involving restrictive covenants, LLC and partnership divorces, business dissolutions, fiduciary litigation, fraud, and contractual disputes of all kinds.

In addition to representing healthcare providers, Paul has handled cases from intake to trial involving commercial property issues, residential real estate, and employment related disputes. Paul has particular experience with high stakes litigation that involve substantial business and financial exposure in state and federal courts including the Chancery Division, General Equity Party, United States District Court as well as arbitration forums such as the American Arbitration Association and American Health Lawyers Association.

INDUSTRIES

- Healthcare
- Real Estate

EDUCATION

- Rutgers Law School, J.D.
- Penn State University, B.A.

BAR AND COURT ADMISSIONS

- New Jersey
- U.S. District Court, District of New Jersey

REPRESENTATIVE MATTERS

Each lawsuit handled by Paul depends on its unique facts and particular legal circumstances. The following are a list of results obtained by Paul on behalf of his clients:

- Resolution of a membership and contractual dispute on behalf of an ambulatory surgery center whose management company misappropriated millions of dollars and supplies to other surgery centers that the management company had an interest in.
- Obtained summary judgment on behalf of neurosurgeon dismissing claims brought by private equity based management company for breach of restrictive covenant and unfair competition as restrictive covenant was found to be unenforceable.
- Resolution of a private equity funded healthcare organization's attempt to enforce a restrictive covenant on behalf of an anesthesiologist.
- Procured a dismissal for former employee against a lawsuit for injunctive relief brought by his former employer for alleged violation of restrictive covenant, conversion of trade secrets and misappropriating proprietary information.
- Dismissal on the pleadings of a federal complaint against owner of hospital for unlawful termination, fraud, and breach of contract.
- Obtained a temporary restraining order and preliminary injunction for a healthcare service company resulting in adverse, managing member of LLC's being removed from all management responsibilities after being found to have engaged in several fiduciary breaches while managing the company.
- Secured voluntary dismissal with prejudice after two day bench trial on behalf of incumbent councilman in election contest brought relating to alleged voter improprieties and irregularities in Newark's East Ward.

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

PROFESSIONAL ACTIVITIES

- Intern for the Honorable Joel A. Pisano, U.S.D.J.
- Law Clerk, Chancery Division

PUBLICATIONS/MEDIA

- *Renewal Option in a Commercial Lease: Failure Could Cost You Your Business*, Catherine Pastrokos Kelly and Paul J. DeMartino Jr., New Jersey Law Journal, Vol. 223, No. 17, April 2017. [Click to read.](#)

AWARDS



New Jersey Super
Lawyers® list*

2024

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
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Insights

Articles - June 30, 2024

Third Circuit Holds Claims Asserted by GEICO Subject to Arbitration

Articles - June 30, 2024

Biden Administration Launches Reporting Tool for EMTALA Violations

Firm Announcements & Wins - June 7, 2024

Paul J. DeMartino Jr. Successfully Obtained a \$7.6M Judgment in Favor of a Group of Orthopedic Surgeons

Newsletters - May 31, 2024

Healthcare Law Update - May 2024

Newsletters - May 1, 2024

Healthcare Law Update - April 2024

Articles - April 30, 2024

U.S. Department of Health Clarifies Informed Consent Guidance for Sensitive Medical Examinations

Firm Announcements & Wins - April 1, 2024

Brach Eichler LLC Promotes Ten Attorneys

Newsletters - April 1, 2024

Healthcare Law Update - March 2024

Articles - March 31, 2024

Physician Charged with \$20.7M Health Care Fraud and Kickback Scheme

Awards - March 26, 2024

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