



## Theodore J. McEvoy Counsel

Litigation

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**When businesses, corporations and individuals need representation in commercial disputes, they turn to attorney Theodore J. McEvoy. His courtroom experience includes successful jury trials as well as appeals to the New Jersey Courts.**

A passionate and formidable trial lawyer, Mr. McEvoy represents clients in a broad variety of matters involving complex business and commercial litigation matters in both state and federal courts throughout New York and New Jersey. His practice focuses primarily on various aspects of general and complex commercial litigation, including factual investigation, discovery and strategy, legal research, and briefing and motions practice in connection with class action defense, consumer fraud, and business torts.

Ted McEvoy joins Brach Eichler as Counsel in the firm's Litigation Group. Ted received his JD from Brooklyn Law School. After law school, Ted served as law clerk to the Honorable Henry Pitman, U.S.M.J., S.D.N.Y. and was an associate at Simpson Thacher & Bartlett.

### EDUCATION

- Brooklyn Law School, 1999, J.D., *cum laude*
- English Literature, State University of New York at Albany, 1992, B.A.

### BAR AND COURT ADMISSIONS

- New York
- New Jersey
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Western District of New York
- U.S. District Court for the District of New Jersey
- Legal Clerk, Hon. Henry B. Pitman, United States Magistrate Judge

## REPRESENTATIVE MATTERS

Each matter handled by Theodore is dependent upon the unique facts and particular circumstances. An example of successful matters handled by Theodore include:

- Obtained summary judgment and dismissal of all race discrimination claims in 2020 in the Southern District of New York on behalf of large luxury retail client. The Second Circuit affirmed summary judgment on behalf of GT's client in a May 2021 ruling. The former employee's request for en banc review by the Second Circuit was also denied and GT's client was awarded the costs of appeal. In January 2022, GT defeated the former employee's request for writ of certiorari to the U.S. Supreme Court.
- Obtained preliminary injunction in breach of restrictive covenant litigation and defended appeal of order in the United States Court of Appeals for the Third Circuit.
- Overturned adverse decision against international client in the New Jersey Court of Appeals regarding contractual duty to arbitrate.
- Represented national retailers and credit-card issuers in connection with various class action matters.
- Represented national insurer in coverage dispute with insured, in which the insured and asbestos personal injury plaintiffs sought approximately \$2 billion in coverage for alleged asbestos personal injury claims.

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

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### Insights

[Newsletters - March 19, 2024](#)

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

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[Alerts - June 9, 2023](#)

**Enforceability of Arbitration Clauses-Has the New Jersey Appellate Division's Recent Decision Provided Clarity?**

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