

Jeremy J. Zacharias

RPLU

Shareholder

JJZacharias@mdwgc.com

Mount Laurel – 856.779.6103



Jeremy is a member of the Professional Liability Department where he represents and defends attorneys, accountants, insurance producers, corporate directors and officers, and financial institutions, among other clients.

Jeremy handles various cases involving insurance agents and brokers liability. In connection with the same, Jeremy defends clients facing allegations of professional negligence, breach of fiduciary duty and breach of contract and routinely works with clients in an advisory capacity regarding best practices in consulting with insureds. In connection with handling insurance agents and brokers liability claims, Jeremy frequently publishes materials with the Professional Liability Underwriting Society (PLUS) through the PLUS Blog and offers various risk management tips through the PLUS podcast series.

Jeremy also represents clients in privacy and data breach matters and handles cases involving intellectual property, copyright and trademark infringement, as well as trade secret, trade dress technology and media-related litigation.

He is an active member of PLUS where he currently serves on the Board of Trustees. He is an alumnus of its Leadership and Mentoring Program (LAMP). Through PLUS, Jeremy achieved his Registered Professional Liability Underwriting (RPLU) Certification. He also serves on the PLUS Mid Atlantic Chapter Committee.

Jeremy graduated magna cum laude from Drexel University's LeBow College of Business. He earned his *juris doctor* from Rutgers University School of Law, graduating cum laude and in the top 15 percent of his class.

He is an active member of the New Jersey State, Camden County, and Burlington County Bar Associations. He is a frequent guest speaker at his alma mater, Rutgers University School of Law and at Drexel University's LeBow College of Business, on

Practices

- Miscellaneous Professional Liability
- Commercial Litigation
- Consumer Financial Services Litigation
- Lawyers' Professional Liability
- Disciplinary Board Representation
- Accountants' Professional Liability
- Insurance Agents & Brokers Liability
- Privacy & Data Security
- Intellectual Property, Technology & Media Litigation

topics including professionalism and career development. He is also active in the Knights of Columbus organization in his community.

Jeremy is admitted to the bars of the states of New Jersey and Pennsylvania and is admitted to practice in federal court in both the District of New Jersey and the Eastern District of Pennsylvania.

Education

- Rutgers Law School (J.D., *cum laude*, 2014)
- Drexel University (B.S., *magna cum laude*, 2011)

Admissions

- New Jersey, 2014
- Pennsylvania, 2014
- U.S. District Court District of New Jersey, 2014
- U.S. District Court Eastern District of Pennsylvania, 2023

Honors & Awards

- The Best Lawyers: Ones to Watch®, Commercial Litigation (2021-2025)
The Best Lawyers list is issued by Woodward & White. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- New Jersey Super Lawyer Rising Stars (2024)
The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- PLUS Emerging Leader Award, from the Professional Liability Underwriting Society (2021)

Associations & Memberships

- Burlington County Bar Association
- Camden County Bar Association
- New Jersey State Bar Association
- Professional Liability Underwriting Society

Classes and Seminars Taught

- *PLUS Podcast: Insurance Agent E&O - Top Ten Tips for Risk Management Series, Episode 3*, October 13, 2025
- *PLUS Podcast: Insurance Agent E&O - Top Ten Tips for Risk Management Series, Episode 2*, August 7, 2025
- *Solving Problems in Commercial Real Estate Transactions - 21st Century Ethical Issues in Commercial Real Estate Transactions*, NJICLE Seminar, July 17, 2025
- *PLUS Podcast: Insurance Agent E&O - Top Ten Tips for Risk Management Series, Episode 1*, June 9, 2025
- *From Interview to Offer: Navigating Clerkships, Networking & Career Success* - Panelist, Rutgers Law School Minority Student Program, February 12, 2025
- *Solving Problems in Commercial Real Estate Transactions - 21st Century Ethical Issues in Commercial Real Estate Transactions*, NJICLE Seminar, July 18, 2024

- *The Defense of Appellate Counsel in Legal Malpractice Actions*, Client Webinar, June 4, 2024
- *Commercial Real Estate Transactions: From Handshake to Closing - Ethical Considerations with Commercial Real Estate Transactions*, NJICLE Seminar, September 8, 2023
- *Strategic Approaches to Handling Lost Profit Claims Under New Jersey's New Business Rule*, Client Webinar, September 7, 2023
- *Virtual Jury Trials in New Jersey: The Good, The Bad and The Ugly*, Client Webinar, March 25, 2022

Published Works

- "Avoiding Pitfalls in E&O Claims: Insights From Episode 2 of Insurance Agent E&O," PLUS Blog, September 8, 2025
- "Opportunity Knocks: Modern Trends With Business Email Compromise in a Changing Cyber World," *New Jersey Law Journal*, November 27, 2024
- "Insurance Agent Skorr's Victory in New Jersey's Appellate Division," *PLUS Blog*, July 16, 2024
- "Strategic Defenses to Appellate Malpractice Claims," *PLUS Blog*, April 19, 2024
- "Strategy is Key for Opening Statements and Closing Arguments," *New Jersey Lawyer*, June 2021
- "The Impact of COVID-19 on the Global IPO Marketplace," *PLUS Blog*, March 15, 2021
- "The Liability of Trial Counsel for Strategic and Tactical Judgments Made During Trial," *New Jersey Law Journal* Professional Malpractice Supplement (page 6), January 13, 2020
- "Attorneys' Ignorance of New Jersey's eCourts System Is No Defense to Failure to Follow the Amended New Jersey Court Rules," *Defense Digest*, Vol. 25, No. 3, September 2019
- "How to Avoid Liability For Your Clients' Representations," *New Jersey Law Journal*, Professional Malpractice Supplement, January 9, 2019
- "Counsel Fees: When an Attorney's Pledge of Anticipated Counsel Fees Can Be Considered an Account Receivable," *Defense Digest*, December 2018, Vol. 24, No. 4
- "The Immunity of Attorneys for the Occasional Bad Result," *New Jersey Law Journal*, Professional Malpractice Supplement, January 15, 2018
- *Case Law Alerts*, regular contributor, January 2018-present
- "When Attorney Fees Can Be Awarded in Legal Mal Actions Brought by Non-Clients," *New Jersey Law Journal*, January 24, 2017
- "The Implications of New Jersey's Limitation of the Fee Shifting Standards," *Defense Digest*, Vol. 22, No. 3, September 2016
- "Are New Jersey Courts Modifying the Affidavit of Merit Requirements in Professional Malpractice Cases?," *Defense Digest*, Vol. 21, No. 2, June 2015

Media Commentary

- "RPLU Designee Testimonials - An Interview With Jeremy Zacharias," *PLUS Publishing*, March 2022
- "Interview With LAMP Alumni," *PLUS Blog*, September 21, 2020

Pro Bono Activities

- Jeremy represented an indigent defendant facing prison time for violating a final restraining order for contacting his ex-girlfriend in Gloucester County, New Jersey. Jeremy was able to obtain a dismissal of this case since his client had no prior violations and was able to maintain steady employment.
-

Results

Dismissal Affirmed Obtained in a Lawyers' Professional Liability Case

We secured an Appellate Division decision affirming the trial court's order dismissing a fraud and fraudulent concealment case filed against various attorneys and broker dealers. In its decision, the Appellate Division agreed with the trial court's orders and opinions dismissing the case based on entire controversy, collateral estoppel and litigation privilege grounds. In this comprehensive decision, the Appellate Division held that the plaintiff's claims were mirrored claims that had been fully litigated in a prior proceeding, where our clients either represented the litigants in the first case or were directly involved in the first case as defendants.

Verdict Affirmed in Complex Legal Malpractice Case

We won a decision from the Superior Court of New Jersey Appellate Division, which affirmed an order for summary judgment in a complex multi-party legal malpractice action. This case involved financial ventures that led to two legal malpractice actions. The dismissal was affirmed, with the Appellate Division agreeing with the trial judge that the plaintiff's expert reports were net opinions and inadmissible.

Summary Judgment Obtained in a Federal Copyright Case

We secured summary judgment in a four-year-old federal copyright matter filed against a national publication for elementary school principals. The plaintiff alleged that her work was improperly published because it was plagiarized. Through discovery, we were able to prove that this article was authored outside of the three-year statute of limitations.

Dismissal of Ethics Grievance Against Attorney

We obtained a dismissal of an ethics grievance against a matrimonial attorney in northern New Jersey. The ethics grievance alleged that money in the grievant's trust account was improperly handled since the ledger cards were completed incorrectly. Upon interviewing our client, the ethics investigator determined that no ethical violation was present since the money at issue was fully accounted for in the Trust account, despite the allegations by the grievant.

Defense Verdict for New York Law Firm in Legal Malpractice Jury Trial

In this case the plaintiff, after receiving legal invoices from our client, filed a legal malpractice complaint alleging fraudulent billing. At trial, the legal malpractice claims against our client were dismissed, leaving the fee claim we asserted in the counterclaim to be decided by the jury. The jury rendered a verdict in our favor within 15 minutes for the full amount of the invoices owed to the firm, \$244,759.59. This victory is significant since, pursuant to the contract the plaintiff entered into with our client, the judgment on

the counterclaim will total approximately \$500,000.00 in interest and attorneys' fees.

Plaintiff Strikes Out When Marshall Dennehey Represents Baseball League

We obtained summary judgment on behalf of our client, an amateur baseball league located in Monmouth County, New Jersey. In this matter, the plaintiff, an umpire assigner, filed a lawsuit alleging improper breach of contract, tortious interference and conspiracy to cut this assigner out of his company. The plaintiff also maintained a cause of action for emotional distress and punitive damages. On summary judgment, the defense argued that due to discovery deficiencies, as well inadequacies with the substantive claims alleged, the plaintiff could not state any material facts to surpass summary judgment. The court agreed, holding that the plaintiff failed to properly oppose the summary judgment motion and had not stated any facts in discovery that would support the claims of breach of contract or tortious interference, among others. The damages exposure of this case, prior to the dismissal, was approximately \$10 million, especially considering the punitive damage potential in this matter.

Dismissal of Multiparty Action Against Church Involving Pastor's Child Abuse

The lawsuit involved claims of child abuse committed by a pastor that occurred during church-based camp activities. We obtained a dismissal of all counts for abuse filed by all plaintiffs against our client, one of the church defendants. Our client did not employ the pastor when the abuse occurred and had no knowledge of the claims asserted.

Summary Judgment for Attorney Defendants in Legal Malpractice Matter Involving Contentious Divorce

We obtained summary judgment in a legal malpractice matter where the underlying case concerned a matrimonial representation in a highly contested divorce. In the underlying matter, our clients represented the wife in a contentious divorce from her attorney husband. At all times, our clients advised the wife regarding litigation strategy and the disputes concerning discovery and failure to provide documents, which delayed the matrimonial case even further. At all times, our clients aggressively represented the wife and retained competent experts to evaluate the husband's law practice for purposes of equitable distribution. When the wife terminated the representation by our clients, they advised the wife of the risks of settling the case with her husband (an attorney) without counsel present (the advice was not heeded by the wife in the settlement of the claims). We were successful in arguing that our clients did not deviate from the standard of care and represented the wife adequately up until the point of termination of the representation. This was potentially a multi-million-dollar case based on the size of the marital estate, and the judge granted summary judgment on behalf of the attorney defendants.

Dismissal of Ethics Grievance Filed Against Education Law Attorney

We obtained a dismissal of an ethics grievance filed against our client, a school law attorney who represented a school board and a school district. The grievance included allegations of *ex parte* communications with the administrative law judge, undue influence over the court, and conflict of interest based on a mediator's spouse being retained by this attorney's firm. We successfully argued to the disciplinary investigator

that the conversations this attorney had with the administrative law judge's staff were rudimentary scheduling and routinely conducted in cases across New Jersey. In terms of the conflict of interest alleged, we also argued that this attorney was an associate with the firm and had no interactions or decision-making authority regarding hiring of attorneys in the firm. The disciplinary ethics investigator found by clear and convincing evidence that the testimony of the school law attorney was credible, and that there was no ethical misconduct by our client.

Plaintiff's Petition Defeated in High Stakes Legal Malpractice Case

We defeated a plaintiff's petition for certification to the New Jersey Supreme Court in a tortious interference and defamation action against an attorney for a lender bank. The New Jersey Appellate Division had affirmed a trial court decision granting summary judgment in a \$10 million tortious interference and defamation case filed by borrowers against the attorneys for a lender bank. This case arose out of an underlying deficiency and foreclosure action filed by a bank due to the plaintiff's failure to repay a multi-million dollar loan used to finance the purchase of real estate. During the course of negotiations to resolve the debt, the bank's counsel had discussions with the plaintiff's new lender. The plaintiffs alleged that during these discussions, the defendant attorney called the plaintiff a "wannabe gangster." On appeal, Jack and Jeremy successfully argued that the trial court was correct in dismissing this case on summary judgment. The Appellate Division held that the trial judge correctly concluded that a statement made by the bank's attorney to a potential new lender calling the plaintiff a "wannabe gangster" was mere name calling, not actionable defamation. The claims for tortious interference were based upon the lost opportunity, since the new lender rescinded its conditional commitment after the alleged statement was made. The Appellate Division held that the trial court was correct in holding that the statements were protected under the litigation privilege, that the litigation privilege is not confined to the courtroom, but extends to all statements or communications in connection with judicial proceedings. Subsequently, the plaintiff filed a petition for certification before the New Jersey Supreme Court, which we successfully opposed. The Supreme Court, in its decision, denied the plaintiff's petition, with costs in favor of our client.

Dismissal of Ethics Grievance Against Condominium Association Attorney

Our attorneys obtained dismissal of an ethics grievance filed against their client, the litigation counsel for a condominium association. In this case, the attorney was able to obtain a multi-million dollar settlement on behalf of the condominium association resulting from various construction defects caused by the developer, among others. After the settlement was reached, the developer's vice president was able to assume control of the condominium association's board and brought ethics charges against the attorney, alleging collusion with the board president and a property manager, who acted in concert to abscond with the settlement proceeds. The ethics grievance alleged the attorney should have notified the association board of the conspiracy and should have warned the association of the theft taking place. Upon responding to the ethics grievance filed against the attorney, the defense argued that the attorney had no involvement with the president of the association or the project manager and did not have any knowledge of the conspiracy. The attorney focused on the litigation and did not involve himself in

anything related to the association's business, other than the litigation, and focused on obtaining the best settlement possible for the association against the developer. After investigating this matter, reviewing the attorney's response, as well as interviewing the attorney, the Office of Attorney Ethics dismissed all allegations against the attorney, finding that the allegations could not be proven by clear and convincing evidence.

Successful Defense of Special Education Law Attorney

We obtained the dismissal of an ethics grievance on behalf of a local special education law attorney. The grievant filed her ethics grievance based upon allegations of fraudulent and unethical practices, accusing the attorney of taking legal fees from a settlement, and alleging that the attorney was prohibited from doing so based on the terms of the settlement agreement. Specifically, the grievant alleged that the attorney failed to safeguard funds from an irrevocable trust for a special needs child, her son. In fully investigating this grievance, the District Ethics Investigator concluded that based on the evidence received, the interviews conducted and the submissions prepared on behalf of the attorney, the investigation did not reveal clear and convincing evidence that the attorney engaged in unethical conduct.

Complex legal malpractice action dismissed.

We obtained an order of dismissal through pretrial motions in a complex legal malpractice action heard before the United States District Court. It arose out of an underlying first-party coverage action that involved hundreds of thousands of dollars in connection with building damage caused by Hurricane Sandy. The plaintiffs filed a complaint against our clients, certain individuals and a law firm, alleging claims for legal malpractice.

Our motion for summary judgment filed on behalf of the defendants asserted that an order for dismissal should be entered because: (1) the plaintiffs' expert failed to offer an opinion on causation and damages; (2) the individual claims of the plaintiffs should be dismissed since the plaintiffs did not establish an individual claim; and (3) the plaintiffs failed to come forward with proofs to satisfy the punitive damages standard in New Jersey. The court granted our motion for summary judgment.

Dismissal of \$10 Million Tortious Interference and Defamation Case Against Attorney

Marshall Dennehey successfully argued pre-trial motions to dismiss in the Superior Court of New Jersey, Camden County in a matter involving a \$10 million tortious interference and defamation case filed on behalf of investors against an attorney and bank counsel arising out of a multi-million dollar loan for a commercial land transaction. The allegations against the attorney included slander and a claim for tortious interference, with prospective economic advantage for a contract that the plaintiff entered into with the investor. With regard to slander, we argued that the established case law in New Jersey holds that the subject pejorative was simply name calling and did not rise to the level of actionable defamation or slander in New Jersey. The court agreed and dismissed the defamation claims. Additionally, the court dismissed the plaintiff's tortious interference

claim, rejected the plaintiff's claims of willful misconduct of the bank's attorney and found that the plaintiff's damages claims, although supported by expert reports, were speculative. The court agreed with the defense argument that the plaintiff's claims for lost profits were barred by New Jersey's New Business Rule. Under the New Business Rule, prospective profits of a new business are considered too remote and speculative to meet the legal standard to recover damages. As a result, the court entered a dismissal of the entire case.

Dismissal of Complex Legal Malpractice Action

We obtained a dismissal of a legal malpractice action arising from a Law Against Discrimination and Conscientious Employment Practices Act action against a municipality and its School Board. In this complex multi-party action, our client, an expert in school law, was retained by the school district to handle a hearing against the plaintiff, a teacher and coach. The plaintiffs alleged a conspiracy among the lawyers and the school board to oust the plaintiff. There were also allegations of malicious prosecution and malicious abuse of process against the town and its attorneys. The court granted our motion and dismissed based on the litigation privilege.

Thought Leadership

April 21, 2026

New Jersey Appellate Division Clarifies Limits of Transactional Attorneys' Duties and Proof of Damages in Legal Malpractice Claims

March 1, 2026

New Jersey Defines When Attorneys Owe Duties to Non-Client

October 31, 2025

Winning Streak Continues: Major Appellate Decision in DEP-Linked Malpractice Suit

October 31, 2025

NJ Appellate Division Affirms Dismissal in Legal Malpractice Action: A "Poster Child" for the Entire Controversy Doctrine and Res Judicata

October 31, 2025

Legal Milestone: Entire Controversy Doctrine Shuts Down Securities Malpractice Appeal

October 1, 2025

Insurance Agent E&O - Top Ten Tips for Risk Management Series - Episode 3

August 12, 2025

Appellate Division Upholds Defense Victory and \$500K Fee Award in New Jersey

Legal Malpractice Case

July 1, 2025

New Jersey Appellate Division Affirms Dismissal of Legal Malpractice Suit, Citing Collateral Estoppel and Inadmissible Expert Testimony

June 17, 2025

Jack Slimm and Jeremy Zacharias Successfully Defend Appeal of Equitable Distribution Legal Malpractice Action in New Jersey

April 23, 2025

New Jersey Revises Jury Charge on Proximate Cause in Legal Malpractice—Based on Case Handled by Jack Slimm and Jeremy Zacharias

April 1, 2025

Legal Updates for Lawyers' Professional Liability - CASE LAW UPDATE

January 13, 2025

John 'Jack' Slimm and Jeremy Zacharias Secure Key New Jersey Appellate Win in Legal Malpractice Action

November 27, 2024

Opportunity Knocks: Modern Trends with Business Email Compromise in a Changing Cyber World

September 1, 2024

Legal Updates for Lawyers' Professional Liability - CASE LAW UPDATE

July 16, 2024

Insurance Agent Skorrs Victory in New Jersey's Appellate Division