

# Mark J. Volpi

Shareholder

[MJVolpi@mdwccg.com](mailto:MJVolpi@mdwccg.com)

Long Island, NY – Melville – 631.227.6339



---

Mark is a member of the Casualty Department and centers his practice on high-exposure construction claims, insurance coverage disputes, subrogation claims, and premises liability cases. He is an experienced litigator who has handled cases from inception through trial, and has argued frequently before the New York State Appellate Division on a variety of matters including construction litigation and the defense of police departments and municipalities.

As a LEED® Accredited Professional and a Member of the United States Green Building Council, Mark has advised construction and design professionals, engineers, brokers and insurance carriers in LEED and regulatory compliance, construction disputes, professional liability claims and insurance coverage matters arising in green building projects. He was one of the first attorneys in New York State to earn the LEED® Accreditation.

Mark graduated with a Bachelor of Arts from Tulane University and a *juris doctor* from St. John's University School of Law. He is admitted to practice in New York, Ohio, and before the United States District Courts for the Southern and Eastern Districts of New York.

## Education

- St. John's University School of Law (J.D., 2002)
- Tulane University of Louisiana (B.A., 1999)

## Admissions

- New York, 2003
- Ohio, 2023

## Practices

- General Liability
- Construction Injury Litigation
- New York Construction & Labor Law

## Associations & Memberships

- Nassau County Bar Association
- U.S. Green Building Council

## Classes/Seminars Taught

- *Employing Mechanism of Injury to Defend Injury Claims*, ARCCA, November 2014
  - *Litigating Insurance Coverage Claims: From Start to Finish*, National Business Institute, December 2012
  - *Green Building Insurance Coverage Seminar*, Nassau County Bar Association, April 2010
  - *Recent Developments in Spoliation of Evidence*, Nassau Suffolk Claims Managers, May 2006
- 

## Results

### **Dismissal of Employment Claims for Negligent Hiring/Supervision**

The plaintiff brought claims for negligent hiring/supervision, false imprisonment, and intentional infliction of mental distress arising from an incident where she was allegedly lured to a residential apartment building in New York City under false pretenses and sexually assaulted by the desk security guard in a back room of the lobby. The guard involved was duly licensed and had no criminal history. At trial, he was criminally convicted and sentenced to prison. The plaintiff contended that the guard's employer was negligent in its hiring of the guard and that it failed to properly supervise his actions at the building, particularly in light of the fact that during the criminal trial, some evidence surfaced that the guard may have committed a similar assault three days earlier while working at another building for a different company. After more than four years of discovery, we moved for summary judgment on behalf of the guard's employer and the building owners/managers, which was granted, dismissing the plaintiff's claims in their entirety.