

Pauline F. Tutelo

Special Counsel

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As a member of the firm's Professional Liability Department, Pauline focuses her practice on the defense of design and construction professionals, as well as builders and general contractors in lawsuits asserting claims regarding building and design-related deficiencies. These large and complex construction defect suits generally involve multiple parties and include issues of code violations, negligence, breach of contract and fraud, as well as insurance coverage claims under GL policies. Pauline has expanded her practice into the areas of employment litigation and public entity liability defense, including litigation related to municipalities and the exclusion of houses of worship in order to facilitate economic redevelopment (RLUIPA).

Pauline brought significant litigation experience when she joined the firm in 2009. Pauline was a construction litigation attorney representing builders and contractors, both independently and through their insurance carriers, in complex construction defect suits. Prior to entering the construction litigation arena, Pauline practiced personal injury and workers' compensation law representing large supermarket chains in the tri-state area.

In 1992 Pauline received her Bachelor of Arts from Brandeis University in Waltham, Massachusetts, graduating *cum laude*. She then went on to earn her *juris doctor* in 1996 from Seton Hall University School of Law in Newark, New Jersey. Pauline is admitted to the New Jersey and New York bars. Following law school, she served as judicial law clerk to the Honorable Mark A. Baber, J.S.C., in the Chancery Division, Family Part, Hudson County, New Jersey.

Education

- Seton Hall University School of Law (J.D., 1996)
- Brandeis University (B.A., *cum laude*, 1992)

Admissions

Practices

- Architectural, Engineering & Construction Defect Litigation

- New Jersey, 1996
- New York, 1996
- U.S. District Court District of New Jersey, 1996

Published Works

- "Construction Defect Litigation Begins With Authority To Sue," *The Legal Intelligencer*, August 6, 2013
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Results

Obtained Positive Outcome in a Construction Site-Related Personal Injury Case

We secured a positive outcome for our client in a construction site-related personal injury case in New Jersey. After a month of trial, we successfully placed the entirety of the plaintiff's \$4.2 million jury verdict against the remaining co-defendant. We also succeeded in placing all of our client's costs and attorney's fees on the co-defendant. In total, the judgment against the co-defendant was in excess of \$7 million.

Summary Judgment Secured Against Leading Construction Defect Law Firm

We obtained a summary judgment on behalf of our architectural client against one of the top construction/design defect law firms in New Jersey. After three separate argument appearances, the court granted summary judgment, holding that the plaintiff's expert's report failed to substantively establish a deviation from the architectural standard of care.

Thought Leadership

January 1, 2026

New York's AVOID Act Imposes Strict Deadlines on Third-Party Actions Starting April 2026

October 1, 2024

In a New York Conflict of Law Professional Malpractice Action, Appellate Court Affirmed Plaintiff Did Not Show that New Jersey Had Substantial Interest in the Litigation.

April 1, 2024

A Cautionary Tale – Diary, Diary, Diary

June 1, 2023

Pay-if-Paid Clause in Construction Contract Found to Be Enforceable

April 1, 2023

Appellate Division Finds that the Pay-if-Paid Clause in the Construction Contract is

Enforceable