

Alicia L. Calaf

Shareholder

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Alicia joined the firm in 2005, and as a member of the Casualty Department, she handles high-exposure premises liability, product liability, automobile, retail, restaurant, and condominium litigation for insurance companies and large self-insured pharmaceutical companies. She also defends municipalities against personal injury actions in negligence and constitutional tort. Alicia has also defended federal cases and has argued before the New Jersey Appellate Division.

In 2014, Alicia became a shareholder of the firm. She has been named a rising star attorney by her peers every year.

Alicia graduated with honors from Lehigh University in 2001. In 2004, she graduated *cum laude* from Seton Hall University School of Law. Alicia was admitted to practice law in the District and State Courts of New Jersey in 2005.

Following law school, Alicia served as a law clerk to the Honorable Alexander Waugh Jr. and the Honorable Hector Rodriguez of the NJ Superior Court, Middlesex County, Civil Division.

Education

- Seton Hall University School of Law (J.D., *cum laude*, 2004)
- Lehigh University (B.A., 2001)

Admissions

- New Jersey, 2004
- U.S. District Court District of New Jersey, 2005

Honors & Awards

- New Jersey Super Lawyer Rising Star (2009-2019)

Practices

- General Liability
- Automobile Liability
- First-Party Property
- Medical Malpractice

Representative Cases & Matters

Secured a unanimous defense verdict in a premises liability matter involving a national home improvement retailer. The plaintiff alleged that she developed Complex Regional Pain Syndrome (CRPS) following a fall in the retailer's parking lot in October 2022. Plaintiff claimed that the incident necessitated significant ongoing medical treatment, including the implantation of a permanent spinal cord stimulator. The plaintiff sought substantial damages, including claims for extensive future medical care. The defense team successfully challenged the credibility of the plaintiff's allegations and expert testimony through rigorous cross-examination and the presentation of defense experts in forensic engineering, human factors, and pain management. The defense also demonstrated that the plaintiff's alleged condition was attributable to pre-existing medical issues rather than the incident at issue. Following a six-day trial, the jury deliberated for just 42 minutes before returning a unanimous verdict finding no negligence on the part of the defendant.

Secured a no-cause verdict on behalf of a national home improvement retailer in a personal injury action. The plaintiff alleged that on May 20, 2019, she was injured at one of the retailer's stores when an associate moved a lumber cart, causing a PVC pipe to fall and strike her head and right shoulder. She claimed permanent traumatic brain injury, concussion, and spinal injuries, supported by her orthopedic and neurologic experts. Our defense orthopedic and neurologic experts testified that the plaintiff's reported symptoms were more consistent with malingering or a somatoform disorder. After a one-week trial and approximately 45 minutes of deliberation, the jury unanimously found the defendant was not negligent. The last demand was \$1.2 million, and the final offer was \$100,000.

Classes/Seminars Taught

- "Bad Faith Litigation," Client Seminar CE Course, 2015

Published Works

- "Indemnification And Contribution: Avoiding The Expense Of An Affidavit Of Merit In Third Party Actions," *Defense Digest*, 2010-03, Vol. 16, No. 1

Representative Cases

- *Studio 45 Discotheque, Inc. v. City of Union City*, 2008 WL 583795 (App. Div. 2008)

Results

Successful Representation of National Home Improvement Corporation's Tool & Truck Rental Division

Marshall Dennehey's trial and appellate attorneys were successful in their representation

of a national home improvement retail corporation's tool and truck rental division.

Handling the case at both the trial and appellate levels, the defense was successful in convincing the New Jersey appellate court to affirm the trial court's decision on July 23, 2024. At the trial level, the judge granted our motion for a directed verdict and dismissed the case. The plaintiff had rented a flatbed truck in 2018 to move a cabinet he had just purchased. He alleged that a store employee gave him a set of ramps to use in the truck, but while doing so, they moved and he fell, sustaining serious and permanent injury to his back. The plaintiff alleged he later returned to the store and was told that he had been given the wrong ramps. The panel said that the record included no actual evidence that the ramp did not fit the truck beyond the employee's saying it was the wrong ramp, or that the ramp slipped because it was incompatible with the truck. Even in his testimony, the panel said the plaintiff did not actually identify any physical cause for the ramp to move. "The dearth of evidence establishing the manner and cause of the slip or slide of the ramp rendered it impossible for the jury to make a reasoned determination as to whether defendant's purported negligence proximately caused plaintiff's fall and injuries," the panel said. The court, therefore, affirmed the case on appeal.