

Christopher J. DiCicco

Co-Chair, Aviation and Complex Litigation Practice

Co-Chair, Maritime Litigation Practice

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Chris is a shareholder in the Casualty Department where he concentrates his practice mostly in the areas of product liability, admiralty and maritime litigation, and aviation litigation. He previously served as Chair of the firm's Executive Committee Advisory Council.

In the area of product liability, Chris primarily defends the manufacturers and distributors of tools, automatic doors, machinery, and other heavy industrial equipment.

As Co-Chair of the Maritime Litigation Practice, Chris handles maritime personal injury defense cases, including recreational boating cases, marine construction cases, cases involving the Jones Act and Longshore and Harbor Workers' Compensation Act, and maritime product liability matters. He also handles cargo matters, including those involving warehouses and transportation brokers. Other maritime experience includes claims involving allisions, collisions, groundings, shipboard fires, and marine insurance disputes.

As Co-Chair of the Aviation and Complex Litigation Practice, Chris has experience representing airports in aircraft crash cases, as well as representing a flight training provider and one of its pilots. He also has experience handling matters on behalf of a major airline, including baggage and ticket disputes, and claims involving travel agencies. Through his experiences with these matters, he has gained knowledge about airport operations, flight operations, manufacture of aircraft and engine components, aircraft repair and maintenance, Federal Air Regulations and FAA oversight. Chris is also a member of the Aviation Insurance Association, as well as a member of the Insurance Law Global Aviation Subgroup.

Chris graduated with honors from Villanova University with a bachelor's degree in Political Science. He obtained his *juris doctor* from Brooklyn Law School.

Practices

- Product Liability
- Maritime Litigation
- Aviation & Complex Litigation
- New York Construction & Labor Law
- General Liability
- Appellate Advocacy & Post-Trial Practice

Chris has been recognized for the last several years as a New York Metro and New Jersey Super Lawyer Rising Star.

Chris is admitted to practice in New York, New Jersey and the Commonwealth of Pennsylvania and he actively handles litigation in all of those jurisdictions.

Education

- Brooklyn Law School (J.D., 2011)
- Villanova University (B.A., *cum laude*, 2008)

Admissions

- New Jersey, 2011
- U.S. District Court District of New Jersey, 2011
- New York, 2012
- U.S. District Court Eastern District of New York, 2012
- U.S. District Court Southern District of New York, 2012
- U.S. Court of Appeals 2nd Circuit, 2014
- Pennsylvania, 2021
- U.S. District Court Eastern District of Pennsylvania, 2021

Honors & Awards

- The Best Lawyers: Ones to Watch®, Transportation Law (2023-2024)
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.
- The Best Lawyers: Ones to Watch®, Personal Injury Litigation – Defendants (2024)
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 Star (2018-2026)
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.
- New York Metro Super Lawyer Rising Star (2015-2021)
- New York Metro Super Lawyer (2024-2025)

Associations & Memberships

- Aviation Insurance Association
- Maritime Law Association of the United States

Classes/Seminars Taught

- *Around the World in 45 Minutes*, ILG 360° London Annual Conference 2023, March 15, 2023
- *(Not So) Straight Forward and Freight Forward: Claims Handling Under Shipper's Interest Cargo Insurance*, AIMU/MICA Seminar "Marine Insurance: A Global Perspective," New York, June 2018
- *Schoenbaum Longshore & Harbor Workers Compensation Act - Chapter 5*, Marshall Dennehey Client Presentation, March 2018
- *Chapter 3 –Schoenbaum's Admiralty and The General Maritime Law (3-14 through 3-*

- 24), Client Seminar, December 16, 2015
- *Chapter 3 – Schoenbaum's Admiralty and The General Maritime Law (3-1 through 3-13)*, Client Seminar, November 17, 2015
- *Impact of Long Shore and New York Labor Law, the Jones Act and McBride Decision on Punitive Damages Under Maritime Law*, Client Seminar, April 2015
- *Brief Overview of New York No-Fault Insurance Law*, April 2012

Published Works

- *Case Law Alerts*, regular contributor, 2016-present
- "Brief Overview of Shipowner's Limitation of Liability Act – History, Procedure and Recent Trends," *Defense Digest*, Vol. 20, No. 1, March 2014

Significant Representative Matters

- Successfully obtained summary judgment dismissing all claims against our client in a marine construction NY Labor Law case pending in Supreme Court Rockland County. The case involved bodily injuries sustained to an employee of our client which was a sub-subcontractor at the site of the new Mario Cuomo Bridge. The property owner, general contractor and the subcontractor each cross-claimed and/or third-partied our client into the case seeking contractual and common law indemnity and contribution pursuant to the terms and conditions of the various contracts. We argued and the Court agreed, since there was no finding of negligence against our client causing the injuries sustained to plaintiff, the indemnification clauses were not implicated. The Court found that there was no evidence demonstrated that our client caused in whole or in part the injuries plaintiff sustained. The plaintiff and general contractor made motions to reargue which were both denied. The parties also filed appeals which are currently pending in the Appellate Division.
- Obtained summary judgment in a maritime personal injury case in favor of The City of New York and the New York City Economic Development Corp. (NYCEDC). The suit was for personal injuries sustained to a dock builder. The City was the owner of the East River Ferry Landing's Project at a pier on East 34th Street in Manhattan. The NYCEDC acted as The City's project manager. Suit was brought under the New York State Labor Law Sections 200, 240(1), and 241(6), as well as common law negligence. As to the Labor Law 240(1), the court determined that this section did not apply to the facts as the plaintiff's alleged injury (caused by the repetitive nature of receiving buckets of epoxy, which were lowered down to him from a barge, and then he carried the buckets across a float stage and poured the epoxy into pile jackets) was only tangentially related to gravity and was not caused by the kind of gravity-related risks that Labor Law 240(1) intended to cover. As to the plaintiff's Labor Law 200 and common law negligence claims, plaintiff's counsel conceded during oral argument that there was no basis to proceed with such claims against The City and NYCEDC. Lastly, with respect to the plaintiff's Labor Law 241(6) claims, the plaintiff did not oppose our motion to dismiss that claim.
- Obtained the dismissal for our client by motion as a result of plaintiff's failure to comply with the applicable two-year statute of limitations. Our client was the owner of the facility at which plaintiff was operating a loaded trailer while in the employ of the lessee of the yard, when the trailer tipped over while plaintiff was moving it from the loading bay to the other side of the yard. Plaintiff sustained very serious bodily injuries. In addition to the dismissal of plaintiff's Complaint, we also recovered approximately 50% of our attorney's fees incurred on behalf of our client on our third-party claims against the plaintiff's employer and lessee of the yard, pursuant to the lease agreement between our client and the lessee of the yard.

- Obtained the dismissal of plaintiff's cargo claims against our client, a non-vessel operating common carrier, during a bench trial in the Superior Court of New Jersey, Union County, Special Civil Part, following the successful cross-examination of the plaintiff.
- Obtained summary judgment on behalf of the owner and property management company of a senior housing complex in a case in which the elevator car doors on one of the elevators in the building struck plaintiff as she was entering the elevator, resulting in personal injuries. The plaintiff alleged that our clients were negligent in allowing a hazardous condition to exist on the property. At the conclusion of discovery, we moved for summary judgment on liability, arguing the lack of any evidence of a defect or malfunction with respect to the elevator doors on the incident date, or alternatively, the lack of any actual or constructive notice of the alleged hazardous condition, if it even existed in the first place. The court (Monmouth County Superior Court) agreed, focusing on the lack of notice to the owner and property manager, and granted our motion for summary judgment dismissing all claims and cross-claims against our clients, with prejudice.
- Obtained the dismissal of the plaintiff's personal injury action, which arose from a boating accident that occurred during a regatta that took place in the waters off of Little Egg Harbor in Beach Haven, New Jersey. At the time of the accident, the plaintiff was sixteen years old. The lawsuit was not commenced until more than three years after the accident. We filed a motion to dismiss the Complaint on the basis that it was barred by the three (3) year Uniform Statute of Limitations (46 U.S.C. § 30106 (formerly 46 U.S.C. § App'x 763a)) applicable to all maritime tort actions and was not subject to New Jersey's infant tolling statute. The United States District Court for the District of New Jersey agreed and granted our motion dismissing the plaintiff's Complaint.

Results

Claims Dismissed in Marine Construction NY Labor Law Case

Our team successfully obtained summary judgment dismissing all claims against our client in a marine construction NY Labor Law case pending in Supreme Court Rockland County. The case involved bodily injuries sustained to an employee of our client, which was a sub-subcontractor at the site of the new Mario Cuomo Bridge. The property owner, general contractor and the subcontractor each cross-claimed and/or third-partied our client into the case. They sought contractual and common law indemnity and contribution pursuant to the terms and conditions of the various contracts. We argued, and the court agreed, that since there was no finding of negligence against our client causing the injuries sustained by the plaintiff, the indemnification clauses were not implicated. The court found that there was no evidence demonstrating that our client caused in whole or in part the injuries the plaintiff sustained.

Successful Defense of Marine Construction New York Labor Law Case

Marshall Dennehey successfully obtained summary judgment, dismissing all claims against our client in a marine construction New York Labor Law case in the Supreme Court in Rockland County. The case involved bodily injuries sustained to an employee of our client, a sub-subcontractor at the site of the new Mario Cuomo Bridge. The property owner, general contractor and the subcontractor each cross-claimed and/or third-partied

our client into the case, all seeking contractual and common law indemnity and contribution pursuant to the terms and conditions of the various contracts. We argued, and the court agreed, that since there was no finding of negligence against our client in causing the injuries sustained to the plaintiff, the indemnification clauses were not implicated. The court found there was no evidence demonstrating that our client caused, in whole or in part, the injuries the plaintiff sustained. The plaintiff and general contractor filed motions to reargue, which were denied.

Thought Leadership

April 1, 2024

U.S. Supreme Court Held that Choice-of-Law Clauses in Maritime Contracts Are Presumptively Enforceable Under Federal Maritime Law

April 1, 2023

SCOTUS Grants Certiorari to Hear Marine Insurance Dispute

October 1, 2021

The Twombly/Iqbal Plausibility Standard Applies to Maritime Complaint Seeking Exoneration from or Limitation of Liability Pursuant to 46 U.S.C. § 30511 et Seq.

April 1, 2021

U.S. Court of Appeals for the Fifth Circuit Upheld a Sieracki Unseaworthiness Finding

January 11, 2021

Loss of Society Damages and Punitive Damages Are Not Available Under the General Maritime Law Where a Minor Plaintiff Sues Arising Out of a Maritime Personal Injury Accident Involving Her Father