

Mark J. Volpi

Shareholder

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Mark is a veteran defense litigator in the Casualty Department, specializing in high-exposure construction claims, subrogation defense, and complex premises liability cases. Practicing in the New York metropolitan area, a uniquely challenging litigation landscape driven by an aggressive and largely unchecked plaintiffs' personal injury bar, Mark serves as an essential line of defense for institutional defendants. He acts as trusted panel counsel for a variety of major insurance carriers and operates as primary outside defense counsel protecting the complex New York City infrastructure and operations of a premier national telecommunications provider.

In a legal market saturated with inflated and unvetted filings, Mark provides his clients with critical economic discipline and sharp tactical judgment. He possesses a keen diagnostic instinct for identifying fraudulent, manufactured, or opportunistic claims early in the litigation cycle. Recognizing that modern claims management requires a metrics-driven approach, Mark prides himself on knowing precisely which cases demand early, cost-effective resolution and which must be litigated aggressively to the finish. This strategic approach ensures that carriers never waste valuable legal fees on meritorious files, while sending a clear message that exaggerated claims will be fought fiercely.

Mark's practice spans the full life cycle of complex civil disputes, from immediate post-incident investigation through the appellate process. He is a formidable courtroom advocate who has argued extensively before the New York State Appellate Division across a broad spectrum of civil matters, including construction liability, catastrophic injury defense, and the defense of municipalities and law enforcement agencies.

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

Practices

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

Education

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

Admissions

- New York, 2003
- Ohio, 2023

Associations & Memberships

- Nassau County Bar Association

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.