

Sara W. Mazzolla

Co-Chair, Amusements, Sports & Recreation

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As a shareholder in our Casualty Department and co-chair of the Amusement, Sports and Recreation Practice, Sara actively defends matters involving premises liability, amusements, sports and recreation, construction, automobile, and condominium/community association law. Sara also defends professional liability claims involving sports coaches and real estate professionals. Sara frequently provides seminars to NAFDMA, IAAPA, SERMA and RSA as well as to carriers and claims professionals.

In her career, Sara has defended Fortune 500 retailers, restaurant businesses, and major hospital networks in New Jersey premises liability actions. Sara routinely represents sports facilities, World and Olympic coaches, athletes, sports teams, and contractors in a wide array of matters.

Through her extensive background in the sport of figure skating, Sara provides a unique perspective to the defense of her sports-related clients. Sara is known for her dedication and consistency in achieving successful results for her clients. She is a former U.S. International Figure Skating Team Competitor, two-time U.S. National Figure Skating Championship Medalist (including winning a National Championship) and World Junior Team Member. Attributing many of her good qualities to her high level and successful participation in sports, Sara enjoys being a role model to young athletes and working with athletes to achieve their goals.

Sara received her *juris doctor* from Seton Hall University School of Law, where she defended juveniles through her work with the Seton Hall Law, Center for Social Justice, Juvenile Justice Law Clinic. During her time at Seton Hall Law, Sara externed for Judge Edwin H. Stern (on temporary assignment with the New Jersey Supreme Court) and Justice Virginia Long, and drafted memoranda on petitions for certification.

In conjunction with a pro bono organization, Partners for Women and Justice, Sara has

Practices

- General Liability
- Amusements, Sports & Recreation Liability
- Automobile Liability
- Miscellaneous Professional Liability

successfully represented domestic violence victims in obtaining final restraining orders in New Jersey family court.

Sara is licensed to practice in New Jersey and New York.

Education

- Seton Hall University School of Law (J.D., 2012)
- Drew University (B.A., 2002)

Admissions

- New Jersey, 2012
- U.S. District Court District of New Jersey, 2012
- New York, 2013

Honors & Awards

- New Jersey Super Lawyers Rising Star (2021-2022)

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.

Associations & Memberships

- American Bar Association
- Defense Research Institute (Trucking Law)
- Essex County Bar Association
- Morris County Bar Association
- New Jersey State Bar Association
- New York State Bar Association
- Partners for Women and Justice
- Professional Skaters' Association
- United States Figure Skating (Former Athletes Advisory Committee Member)
- The International Amusement & Leisure Defense Association (IALDA), Vice President

Representative Cases & Matters

- Secured a unanimous 6-0 defense verdict in a New Jersey premises liability case after the jury found no negligence on the part of the defendant. The plaintiff alleged that a six-foot drill bit fell from a retail display, causing a concussion, post-concussion syndrome and permanent cognitive impairments. The defense demonstrated that the item was displaced only after an unidentified customer struck the shelving with a shopping cart and that there was no evidence store employees knew or should have known of the condition. Through surveillance video, fact witness testimony and expert evidence, the defense also established that the impact was inconsistent with the forces necessary to cause a concussion and highlighted alternative explanations for the plaintiff's claimed injuries. Following a six-day trial, the jury returned a complete defense verdict, finding the defendant was not negligent.
- Successfully obtained a no cause verdict following a one-day non-jury trial (conducted virtually) in the Law Division of Hudson County for our client, a national trucking company. Plaintiff alleged the truck swerved into his lane causing property damage. We successfully argued that plaintiff's identification of the trailer as belonging to our

client was not dispositive on the issue of the identification of the company responsible for operation of the truck which was pulling the trailer at the time of the accident. The judge further found the police report was not admissible on the identification of the operator of the vehicle and also that regardless of identification, plaintiff failed to establish the operator was negligent.

- Obtained summary judgment barring the application of the mode of operations charge in favor of major retailer.
- Obtained a summary judgment on behalf of rock-climbing facility on the basis that waiver was enforceable and no reasonable jury could find that the client was grossly negligent based on client's testimony of safety procedures, protocols and equipment in place at indoor rock-climbing facility.
- Secured summary judgment for breach of contract and indemnification in a premises liability action.
- Obtained Summary Judgment for a national concert promoter and public entity venue owner. Plaintiff purchased outdoor lawn seats for a concert at the PNC Bank Arts Center in Holmdel, New Jersey. After the show started it began to rain and plaintiff alleged the lawn area became slippery, wet and muddy. Plaintiff attempted to walk down the sloped lawn area towards the stage to buy her husband a beer. While doing so her foot got stuck in mud which formed with the rain and she suffered a severe ankle fracture which was surgically repaired. The trial Judge dismissed the case on Summary Judgment and found plaintiff's expert's report to be unsupported. The court reasoned plaintiff could not present a claim of liability against the operator for failing to prevent the outdoor grass seating area from becoming wet and slippery when it rained. He also reasoned plaintiff could not prove the property was in a dangerous condition as defined by the New Jersey Tort Claims Act. We believe this decision will be helpful in defending other cases at the same venue involving similar facts.

Classes & Seminars Taught

- *Information Gathering for New Claims and Prevention of Spoliation*, 5th Annual Ideal3 Summit, Minneapolis, MN, June 2026
- *The Pros and Cons of Waivers in Your Rink*, RSA Annual Conference, Las Vegas, NV, May 2026
- *Skating Industry Risk Management: Keeps the Good Times Rolling*, RIMS Annual Conference, Philadelphia, PA, May 2026
- *Safety and Legal Prep*, NAFDMA International Agritourism Association Convention & Expo, February 8, 2026
- *I'm Getting Sued. Now What?* NAFDMA International Agritourism Association Convention & Expo, February 9, 2026
- *Risk Management and Understanding the Claims Process*, NAFDMA International Agritourism Association Convention & Expo, February 10, 2025
- *Health Club Claims*, Marshall Dennehey Client Webinar, February 5, 2025
- *Preparing A Claim for Trial*, Marshall Dennehey Client Webinar, February 4, 2025
- *Roller Skating and Ice-Skating Management*, SERMA, Webinar, December 17, 2024
- *Risk Management, Risk Shifting, & Corporate Formalities*, NAFDMA International Agritourism Association, Webinar, July 11, 2024
- *Annual Anti-Discrimination and Harassment Training*, Marshall Dennehey Client Webinar, May 18, 2023

Published Works

- "Negotiating The Call: What the Americans with Disabilities Act May Demonstrate as

Trends in Finding the Line Between Equal Participation and Safety”, The Sports Bulletin 3rd Edition, Insurance Law Global, August 2024

- It's Only Fun Until Someone Gets Hurt: Emerging Risks in Amusements, Sports and Entertainment, AM Best Insurance Law Podcast, October 2021

Pro Bono

- Partners For Women In Justice
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Results

Summary Judgment Won in a Dog Bite Case in New Jersey

We secured summary judgment in a general liability case involving a dog bite. The plaintiff alleged a laceration to the face from a dog bite. The dog was owned by a co-defendant, not by our client, the landlord of the property where the bite occurred. There were no issues of material fact or proof to support a theory of liability under strict or ordinary negligence, and no behavioral signs of aggression were observed by the plaintiff or the property owner's son who hosted the party where the plaintiff was bitten. We argued that the elements under both theories could not be met, and the judge agreed, granting summary judgment.

Summary Judgment for National Concert Promoter

We obtained summary judgment for a national concert promoter and public entity venue owner. The plaintiff purchased outdoor lawn seats for a concert at the PNC Bank Arts Center in Holmdel, New Jersey. After the show started, it began to rain, and the plaintiff alleged the lawn area became slippery, wet and muddy. The plaintiff attempted to walk down the sloped lawn toward the stage to buy her husband a beer. While doing so, her foot got stuck in mud which formed with the rain, and she suffered a severe ankle fracture that was surgically repaired. The trial judge dismissed the case on summary judgment and found the plaintiff's expert's report to be unsupported. The court reasoned the plaintiff could not present a claim of liability against the operator for failing to prevent the outdoor grassed seating area from becoming wet and slippery when it rained. He also reasoned the plaintiff could not prove the property was in a dangerous condition as defined by the New Jersey Tort Claims Act.

No-Cause Verdict on Behalf of National Trucking Company

We obtained a no cause verdict following a one day non-jury trial (conducted virtually) in the Law Division of Hudson County for our client, a national trucking company. The plaintiff alleged the truck swerved into his lane causing property damage. The defense successfully argued that the plaintiff's identification of the trailer as belonging to our client was not dispositive on the issue of the identification of the company responsible for operation of the truck which was pulling the trailer at the time of the accident. The judge further found the police report was not admissible on the identification of the operator of the vehicle and also that regardless of identification, the plaintiff failed to establish the operator was negligent.

Court Agrees Mode of Operations Does Not Apply in Retail Liability Case

We were successful on a motion for summary judgment, thereby barring the application of the mode of operations in a slip and fall case where an alleged partially eaten sandwich was found in the aisle of the retailer. The facts indicated that the sandwich came from a fast-food sandwich shop within the premises and was dropped by an unidentified customer, who took the item to go and dropped it in the aisle before the plaintiff fell. The court ruled that the mode of operations did not apply because the aisle, which contained greeting cards and the like, and did not create an extension of the cafeteria within the retailer's premises. Further, the court ruled there was no nexus to any self-serve component of the fast food restaurant's business to the area in the retailer's store proper where the accident occurred.

Rock Climbing Liability Waiver Found Enforceable.

We obtained summary judgment on behalf of a rock climbing center. The plaintiff, a certified climber, was injured when she fell from a 25-foot rock-climbing wall at our client's facility. After reaching the summit of the wall, she pushed off to begin repelling down, only to realize that she forgot to connect to the auto-belay system. She fell to the ground and fractured both ankles and underwent open reduction internal fixation surgery. She had previously visited the client's facility approximately 35 times and had executed a liability waiver on each occasion, including the date of the accident. We moved for summary judgment to dismiss her complaint based upon the fact that the liability waiver was enforceable. The plaintiff argued that the liability waiver was only enforceable as to her claims of ordinary negligence, and that the issue of whether the defendant was grossly negligent was a triable issue of fact. However, we successfully argued that no reasonable jury could find that the client was grossly negligent based on the client's testimony of the safety procedures, protocols and equipment in place at the rock-climbing center. Accordingly, the court granted our motion for summary judgment and dismissed the plaintiff's complaint, in its entirety, against our client.

Thought Leadership

July 1, 2025

New Jersey Appellate Division Affirms Dismissal of Slip-and-Fall Suit at Concert Venue

April 1, 2025

New Jersey Court Dismisses Baseball Team's Fiduciary Duty Claim Against Board Member, Citing Lack of Individual Liability Under Florida Law

January 1, 2024

The Stand-Alone, Small Link to the Terms and Conditions Page of Defendant's Website Did Not Suffice to Waive the Plaintiff's Constitutional Rights

January 1, 2024

Appellate Court Affirmed Trial Court's Decision to Grant Summary Judgment to Defendants as to Plaintiff's Theories of Liability Under New Jersey's Title 59 and Private Negligence.

October 1, 2023

11th Circuit Court of Appeals Vacates Ruling Against Plaintiff in Amusement Park Discrimination Case

July 1, 2023

The Stand-Alone, Small Link to the Terms and Conditions Page of Defendant's Website Did Not Suffice to Waive the Plaintiff's Constitutional Rights

January 1, 2023

The Court Found that the Plaintiff had no Triable Issue of Material Fact to Support a Claim of Gross Negligence Against the Defendant Fitness Facility.

October 1, 2022

The Risk of Falling on Natural, Rocky Terrain is Part of the Risks Inherent in the Sport of River Tubing

July 1, 2022

NJ Appellate Division Addresses Applicability of Arbitration Provisions in Two Separate Decisions Involving Amusement Parks

April 1, 2022

NJ Appellate Division Weighs in on What Standard to Apply to Coach Who Was Supervising Participants of Multiple Recreational Sports at the Time

January 3, 2022

Application of Assumption-of-Risk and Waiver-of-Liability Clauses in Member Agreement Upheld Regarding Slip and Fall, and Denial of Oral Attempt to Amend Pleading to Add Claim for Gross Negligence Affirmed