

Stephen M. Orlofsky | Partner

Business Litigation

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CHAIR, PRINCETON OFFICE

Stephen Orlofsky leads the firm's appellate practice and concentrates his practice in the areas of complex litigation and alternative dispute resolution. He counsels clients throughout the United States in federal and state civil and criminal courts, both at the appellate and trial level. He has experience litigating, arbitrating, mediating, and serving as a special master in a wide variety of matters, including:

- Advertising and Lanham Act disputes
- Appellate litigation in state and federal courts
- Commercial disputes
- Securities
- Antitrust
- Patent and intellectual property
- Malpractice and professional ethics
- Legal ethics
- Electronic discovery
- White-collar criminal defense
- Class actions in state and federal courts
- Internal investigations
- Environmental
- ERISA

Steve has extensive experience with regard to appellate matters, both as a litigation attorney and federal judge. He is a former United States District Judge for the District of New Jersey, who served in that capacity from 1996 to 2003. He also served as a United States Magistrate Judge for the District of New Jersey from 1976

to 1980.

Prior to leaving the federal bench in 2003, Steve served as one of three federal judges on a 13-member Judicial Assessment Team, which traveled to Iraq to evaluate the Iraqi judicial system to assist the Coalition Provisional Authority in reconstructing the Iraqi court system.

In 2005, he was appointed by the president-elect of the New Jersey State Bar Association to serve as the vice-chair, South Jersey, of the New Jersey State Bar Association's Judicial and Prosecutorial Appointments Committee. He served in that capacity from 2005 to 2007. Steve was also appointed by the chair of the ABA Litigation Section to serve as a member of its Ethical Standards for Mediation Task Force. He currently serves on the Uniform Law Commission, the national body that considers the adoption of uniform state laws, where he is one of New Jersey's three Uniform Law Commissioners.

In 2008, Steve was honored by the Camden County Bar Association with the Hon. Peter J. Devine Award for distinguished service.

Steve was selected in 2000 as one of the "50 of the Finest" graduates of the Rutgers–Camden campus during the celebration of the fiftieth anniversary of Rutgers University–Camden.

Steve served as a captain in the U.S. Army, Field Artillery, from 1966 to 1970. He was inducted into the U.S. Army Artillery OCS Hall of Fame (Durham Hall), at Fort Sill, Oklahoma, on May 21, 1999. Steve was also inducted into the OCS Hall of Fame, Class of 2019, at Fort Benning, Georgia, on April 29, 2019.

From 2009 to 2011, Steve served as the president of the Bar Association of the Third Federal Circuit.

Steve is a member of the Panels of Distinguished Neutrals of the International Institute for Conflict Prevention & Resolution ("CPR"). He has been named to CPR's National, Judicial, New Jersey, and Philadelphia Panels. CPR's Panels are a source of the most qualified neutrals for the alternative dispute resolution ("ADR") of significant business and public disputes.

Chambers USA ranks Steve as a leader in the field of general commercial litigation, stating that he is characterized as a "very highly regarded and very smart man," adding that "commentators highlight his experience as a federal judge, noting: 'There is no substitute to having a former federal judge in your corner—he has a unique skillset.'"

Select Engagements

- Obtained complete relief from seven consolidated wrongful death and

personal injury suits in a New Jersey Supreme Court decision that will have significant implications for New Jersey taxpayers and the public interest.

- Successfully represented a leading restaurant chain in a class action case before the New Jersey Supreme Court, resulting in a favorable, 90-page consolidated opinion that saved the client over a billion dollars in damages.
- Served as a Special Discovery Master in a complex New Jersey State Court RICO matter.
- Argued and won the precedent setting case in the New Jersey Supreme Court that established the standards for immunity for 911 call centers in New Jersey.
- Served as a Special Master in an MDL class action antitrust action.
- Retained as mediator, arbitrator, and special master in wide variety of disputes including complex commercial, environmental, class actions, employment discrimination, antitrust, securities, patent, and intellectual property disputes.
- Conducted internal investigation resulting from alleged misconduct of senior corporate officer.
- Senior executives, in significant white-collar litigation.
- Successfully defended several class actions brought under the New Jersey Consumer Fraud Act in the Third Circuit Court of Appeals and the District of New Jersey.
- A commercial bank, in connection with regulatory issues pending before a banking commissioner and related litigation pending in state court.
- A manufacturer of plastic, wire, and cable, in the first Superfund case filed in federal court in New Jersey, as well as related state court class action filed against the PRPs; and represented this manufacturer against insurance carriers in a dozen sites throughout the United States.

Admissions

- Pennsylvania
- New Jersey
- Supreme Court of the United States
- United States Court of Appeals for the Third Circuit
- U.S. District Court - Eastern District of Pennsylvania
- U.S. District Court - New Jersey
- Supreme Court of New Jersey
- Supreme Court of Pennsylvania
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Fourth Circuit

Memberships

- American Bar Association
- American Law Institute
- Association of the Federal Bar of the State of New Jersey
- CPR International Institute for Conflict Prevention & Resolution

- National Conference of Commissioners on Uniform State Laws
- New Jersey Lawyers Assistance Program
- New Jersey State Bar Association
- Third Circuit Bar Association
- Legal Services of New Jersey

Education

- City College of New York, BA
- Rutgers University School of Law, Camden, JD, with honors

Recognitions

- 2005–2024, New Jersey “Super Lawyer” for Business Litigation, listed by *Super Lawyer*
- 2015–2023, Litigation: General Commercial Law, listed in *Chambers USA*
- 2018, Judge John F. Gerry Award, by Camden County Bar Foundation
- 2015, Lifetime Achievement Award, by *New Jersey Law Journal*
- 2010, Judge Learned Hand Award, by American Jewish Committee of Central New Jersey
- 2008, Hon. Peter J. Devine Jr. Award, by Camden County Bar Association
- AV-Preeminent®, listed by Martindale-Hubbell®

Professional Activities

From 2003 to 2015, Steve served as one of New Jersey’s three Uniform Law Commissioners and a member of the National Uniform Law Commission. He is a member of the Drafting Committee on the Electronic Records Act and serves as the enactment plan coordinator for that Act. Additionally, he serves as a member of the Committee on Federal Relations.

Steve received the prestigious American Jewish Committee (“AJC”) of Central New Jersey’s 2010 Judge Learned Hand Award in recognition of his impressive leadership in the legal profession and the community.

In 2006, the New Jersey State Bar Association elected Steve as one of its state delegates to the American Bar Association (“ABA”) House of Delegates, the policy-making body of the association, a role in which he served for 10 years until 2016. He is a past president of the Third Circuit Bar Association, a federal circuit bar association, which encompasses New Jersey, Pennsylvania, Delaware and the United States Virgin Islands.

Also in that year, he was elected to the American Law Institute (“ALI”) as a member. The American Law Institute was organized in 1923 following a study conducted by a group of prominent American judges, lawyers and teachers. As stated in its charter, the purpose of the Institute is “promote the clarification and simplification of the law and its better adaptation to social needs, to secure the

better administration of justice, and to encourage and carry on scholarly and scientific legal work.” The membership of the ALI consists of judges, lawyers and law teachers from all areas of the United States as well as some foreign countries, selected on the basis of professional achievement and demonstrated interest in the improvement of the law.

In April 2015, Steve was selected as a recipient of the *New Jersey Law Journal’s* 2015 Lifetime Achievement Award and profiled in the journal for his many significant accomplishments in the legal community and beyond.

From 2015 to 2016, Steve served as a member of the Standing Committee on the Federal Judiciary of the American Bar Association.

In November 2018, Steve received the Camden County Bar Foundation’s 2018 Judge John F. Gerry Award in recognition of his humanitarianism and outstanding contributions to the administration of justice in New Jersey. Also in 2018, Blank Rome’s Princeton office, led by Steve, was named New Jersey’s “Regional Litigation Department of the Year” by *The American Lawyer* and “New Jersey Powerhouse” by *Law360*.

Steve frequently lectures in the areas of federal practice and procedure, professional ethics and professionalism, evidence, electronic discovery, and commercial and criminal litigation trial and appellate techniques. He serves as the vice-chair of the board of directors of Legal Services of New Jersey, Inc., a nonprofit corporation which provides legal services to indigents throughout New Jersey. He served as an adjunct professor of law at Rutgers University School of Law - Camden, where he taught a course in electronic discovery and evidence.

Languages

- German