Alan S. Pralgever

Partner

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- Business and commercial law and litigation, with a special focus on corporate, partnership, and LLC split-ups and divorces and oppressed shareholder cases
- Real estate litigation, estate litigation and employment-related disputes
- American Arbitration Association (AAA) trained mediator and arbitrator for employment, commercial and business disputes; certified by the New Jersey Superior Court as a civil mediator

Alan is an accomplished and versatile litigator with broad experience resolving complex commercial disputes. His practice is defined by a sophisticated understanding of high-stakes business, corporate, estate and real estate conflicts. He represents clients in litigation in New Jersey and New York federal and state courts, and in mediation and arbitration proceedings.

Alan has demonstrated expertise in representing business owners, partners, and shareholders in high stakes disputes where the future of the entity is often at issue, including business dissolutions, oppressed shareholder actions, partnership split-ups, and complex buyouts and forced sales. Raised against the backdrop of a closely held family business, he understands the pitfalls and practicalities of operating a business entity, a perspective that is critical to his representation of clients in these types of matters.

He serves as a strategic advisor to property owners, developers, general contractors, design professionals, community association boards, and other clients in real estate litigation involving contractual rights, purchases,

sales, construction and brokerage matters, environmental issues, and valuations. His comprehensive experience ranges from ground leases and condominium litigation to construction warranty and estate-related property disputes.

Alan provides support on employment issues, workplace disputes, and employment-related investigations. His diverse experience encompasses the representation of public entities including schools and municipalities, as well as the representation of healthcare providers in professional disputes and licensure issues. He has also handled specialized disputes including the defense of class actions, Consumer Fraud Act claims, and intellectual property cases.

Throughout his career, he has also represented parties, including executors and beneficiaries, in estate disputes and litigation.

Certified by the New Jersey Superior Court as a civil mediator, Alan is an American Arbitration Association arbitrator and mediator. He sits on the AAA's Employment, and Commercial and Business Panels.

Areas of Focus

Practice Areas

- Commercial Litigation
- Fiduciary Relationships
- Professional Negligence, Malpractice & Ethics
- Restrictive Covenant/Trade Secret/Unfair Competition
- Shareholder & Partnership Disputes
- Litigation
- Real Estate Litigation
- Construction Litigation
- Real Estate Contract Disputes
- Landlord & Tenant
- Specific Performance
- Title Litigation
- Employment
- Employment Litigation
- Construction
- Construction Litigation
- Alternative Dispute Resolution

Industries

- Real Estate
- Construction
- Community Associations
- Public Entities
- Healthcare
- Professional Services

Credentials

Bar Admissions

- New Jersey, 1980
- U.S. District Court, District of New Jersey, 1980
- New York, 1986
- U.S. District Court, Southern and Eastern Districts of New York, 1986
- U.S. Courts of Appeals, Second, Third and Fourth Circuits, 1986
- U.S. Supreme Court, 2012

Education

- Antioch School of Law, J.D., 1979
- Columbia University, M.A., 1974
- Lafayette College, B.A., *cum laude*, 1973

Recognition

- Listed in *The Best Lawyers in America* (a trademark of Woodward/White, Inc.) in the Commercial Litigation practice area (2024-present)
- Martindale-Hubbell Peer Review Rated AV Preeminent (a trademark of Internet Brands, Inc.)

Other Experience

- New Jersey Superior Court: Certified Civil Mediator

Experience

Representative Matters

- Represented Carlyle Towers Condominium Association, a 280-unit luxury condominium association, in easement litigation concerning critical vehicular and pedestrian access rights, securing summary judgment upholding a 1973 Master Deed easement and preserving essential access to the property.

- Successfully represented an LLC member in high-stakes fiduciary duty and oppression litigation, securing a multi-million-dollar buyout tied to properties central to a major Morristown redevelopment project.
- Secured a substantial victory for a New Jersey commercial real estate brokerage firm following an eight-day bench trial involving unpaid commissions under an exclusive leasing agreement for an industrial warehouse. The court awarded commissions on multiple lease tranches totaling approximately 168,000 square feet, plus interest and attorneys' fees, resulting in a recovery of approximately $2 million.
- Represented a medical supply distributor and affiliated entities in a federal False Claims Act *qui tam* action alleging Medicare fraud, securing dismissal prior to the pleading stage through documentary evidence and sworn submissions, while claims against other defendants continued.
- Appeared before the New York Court of Appeals on behalf of a major construction company in a contract and arbitration dispute involving a corporate headquarters development, securing confirmation of an arbitration award.

Published Cases

Published Cases

- In *Stilianessis v. Dionne, DMD* (2018), represented the plaintiff in a dental malpractice appeal before the New Jersey Appellate Division, securing reversal based on improper "net opinion" expert testimony standards.
- In *Parker v. Parker* (2016), successfully represented the plaintiff in litigation involving New Jersey's Oppressed Shareholder Statute before the New Jersey Chancery Division. The case involved two brothers who each owned 50% interests in two independently operated businesses located on a single property owned through a limited partnership, with no functional operating agreement in place. The court ruled that the defendant had "oppressed" the plaintiff, who suffered significant financial losses, by breaching his fiduciary duty and acting in bad faith.
- In *Palisadium Management Corp. v. Carlyle Towers Condominium, Inc.* (2014), secured summary judgment for a major condominium association in Cliffside Park in a precedent-setting contract dispute, resulting in dismissal of $2.5 million in claimed damages and invalidation of a long-term agreement as unconscionable and void under New Jersey condominium law.
- In *GF Princeton v. Herring Land Group* (2013), represented a commercial tenant in litigation tried before the U.S. District Court for the District of New Jersey and affirmed by the U.S. Court of Appeals for the Third Circuit. In the precedent-setting federal litigation involving a long-term ground lease, obtained a ruling denying ground rent during a renewal period based on the lessor's failure to comply with contractual appraisal requirements.
- In *Reilley v. Ceridian* (2011), represented a corporate defendant in a putative class action before the U.S. Court of Appeals for the Third Circuit. In this matter, which arose from a data breach, the firm secured dismissal based on lack of standing and clarified that speculative risk of identity theft does not constitute actual injury.
- In *Conchita Smith v. Medpointe Healthcare, Inc., et al.* (2007) before the U.S. District Court for the District of New Jersey and the U.S. Court of Appeals for the Third Circuit, defended a pharmaceutical company in litigation alleging discrimination and retaliation under FMLA, ADEA, COBRA, and related statutes, obtaining rulings

finding legitimate, non-discriminatory grounds for termination.

- In *Metem Corporation v. Stephen Chen* (2003), a three-month trial in New Jersey Superior Court resulted in the successful defense of a minority shareholder in a case involving control and ownership of affiliated technology companies by establishing minority shareholder oppression and securing the client's right to repurchase a controlling interest and related intellectual property.
- In *Balsamides v. Perle* (1999), a nationally recognized case, achieved a unanimous decision before the New Jersey Supreme Court establishing limits on the use of marketability discounts in forced buyouts of closely held companies. *Balsamides* is a leading valuation case for partnership or corporate dissolutions in New Jersey and is also used as a valuation case in divorce proceedings in the state.

Affiliations

Memberships

- American Arbitration Association (AAA): Employment, and Commercial and Business Panels
- American Bar Association: Business Law Section; Litigation Section
- New Jersey State Bar Association: Equity Jurisprudence Special Committee (2021-2022 term); Construction Law Section
- Association of the Federal Bar of New Jersey
- Trial Attorneys of New Jersey
- Essex County Bar Association
- Morris County Chamber of Commerce
- Justice Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution: Executive Committee
- Brennan-Vanderbilt American Inn of Court: Master

Insights & More

Announcements

2027 Edition of Best Lawyers Recognizes 50 Attorneys in 38 Practice Areas
8.20.26

Greenbaum Secures Significant Win as New Jersey Appellate Court Upholds Trial Court's Decision in Favor of Real Estate Brokerage Firm
4.28.26

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on "Ones to Watch" List
8.21.25

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition
8.14.24

2024 Edition of Best Lawyers Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers Recognized on "Ones to Watch" List; Five Selected for "Lawyer of the Year" Recognition
8.16.23

Alan S. Pralgever Appointed to National Roster of AAA Arbitrators
6.27.22

Client Alerts

With DEI Initiatives Under Review, Employers Must Still Comply with Federal and State Anti-Discrimination Laws
4.16.25

DEI-Related Executive Orders: Employers Must Still Comply with Federal and State Anti-Discrimination Laws
3.24.25

Amendments to NJ WARN Act Bring Stricter Requirements than Previous NJ WARN and Federal WARN Acts
1.18.23

Recent Federal District Court Ruling Provides Insight Into How WARN Act May Apply to COVID-Related Workforce Cuts
1.19.21

Force Majeure in the Age of COVID-19: A Force to be Reckoned With
4.23.20

Employment Law Update: New Legislation Delays Implementation of Amendments to NJ WARN Act and Exempts "Mass Layoffs" Due to COVID-19
4.17.20

Publications

Amid DEI Uncertainty, Cos. Face Pressure From All Sides
7.03.25

NJ's Novel Severance Law Ruins Small Biz Growth, Attys Say
2.27.20

Seminars & Events

Counseling Clients Through a Business Lens for Greater Success
9.29.26

You've Lost that Lovin' Feelin': Keeping Employment Disputes Out of Litigation with Arbitration & Mediation Provisions
3.23.22

Advanced Business Contracts: Secrets Only the Top Attorneys Know...
12.05.21

Negotiating Indemnification, Reps, and Warranties in New Jersey
6.07.21

Post-Pandemic ADR: Do We Need to Be in the Room Where It Happens?
5.18.21

Cyber Security in Today's Environment
7.28.20

COVID-19 and Its Impact on Business Litigation
6.09.20