

Employment Litigation

Greenbaum's employment team provides representation in state and federal courts, before administrative agencies including the Equal Employment Opportunity Commission (EEOC) and the New Jersey Division on Civil Rights (DCR), and in arbitration proceedings. The firm's employment litigation experience encompasses the defense of a wide variety of claims, including those related to discrimination, sexual and other types of harassment, unlawful retaliation, whistleblower, wrongful discharge, contract issues, workplace torts, and wage and hour disputes.

Our attorneys also handle disputes involving issues under employment and employment-related agreements, including the enforceability of restrictive covenants, non-compete and non-solicitation provisions. Our approach to litigation is rooted in a proactive mindset and addresses the full spectrum of employment disputes, from early-stage negotiation to a final verdict.

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Experience

Representative Matters

- Representing a public university in high-stakes employment litigation alleging discrimination, defamation, due process violations, malicious prosecution, and intentional infliction of emotional distress arising from termination proceedings, securing summary judgment on all claims and defending the judgment on appeal in a matter with demands exceeding \$10 million.
- Successfully defended the State of New Jersey and individual defendants in multiple employment actions alleging discrimination, harassment, and retaliation under the NJLAD and CEPA, obtaining dismissal with prejudice at summary judgment following extensive discovery and motion practice. The plaintiff's appeal in this matter was denied.
- Represented a private employer in the appeal of a significant jury verdict arising from NJLAD claims involving hostile work environment, discrimination, retaliation, and failure to promote.
- Defended a technology company in employment litigation brought by a former senior executive asserting claims under NJLAD and CEPA and seeking declaratory relief concerning restrictive covenants, securing dismissal of multiple claims, denial of declaratory relief, quashing of overbroad subpoenas, and a favorable settlement following mediation.
- Represented a remodeling company in disability discrimination and retaliation claims under the NJLAD, achieving a favorable settlement after discovery demonstrated that no reasonable accommodations were feasible.
- Defended a research company and its owners and managers in employment litigation asserting CEPA whistleblower claims, sexual harassment, discrimination, retaliation, and wage and hour violations, resolving the matter on favorable terms that protected the company's industry reputation.

- Represented a former PSE&G project manager in whistleblower and discrimination claims under New Jersey's Conscientious CEPA and LAD, alleging retaliation for reporting environmental violations involving contaminated wastewater. On appeal, the New Jersey Appellate Division reversed the trial court's dismissal and order compelling arbitration and remanded the matter for proper consideration, reviving the client's claims and restoring his right to judicial review.
- Successfully defended a public university in a whistleblower retaliation action under the New Jersey CEPA, securing dismissal of all claims with prejudice at summary judgment. The plaintiff's appeal in this matter was denied.
- Successfully defended a large public entity and individual employees in multiple employment actions alleging discrimination, harassment, and retaliation under the NJLAD and CEPA, obtaining dismissal with prejudice at summary judgment following extensive discovery and motion practice. The plaintiff's appeal in this matter was denied.
- Defended a North American energy infrastructure company in state court litigation alleging CEPA retaliation arising from a contractor's work on a New Jersey pipeline project. Following discovery, the plaintiff abandoned all claims, and the matter concluded without further proceedings.
- Successfully defended a state corrections agency and its former commissioner against age and disability discrimination claims under NJLAD, securing summary judgment on all counts and affirmance on appeal, eliminating exposure exceeding \$2 million.
- Defended a public entity in federal employment litigation asserting constitutional and statutory claims, including alleged violations of the NJLAD, the Equal Protection Clause, and the New Jersey Civil Rights Act. The matter involved multi-forum motion practice, federal discovery and pretrial proceedings, a remand to state court, and dispositive briefing, and ultimately resolved without trial.
- Successfully defended Protection Technologies, LLC, an electronic security solutions provider, against NJLAD and CEPA claims brought by a former senior executive, defeating an early declaratory judgment challenge to restrictive covenants, obtaining dismissal of multiple discrimination and retaliation claims, quashing overbroad subpoenas, and resolving the matter on highly favorable terms following mediation.
- Obtained dismissal at the pleading stage of a NJLAD sexual harassment lawsuit against a state judicial agency, where the court held the plaintiff could not establish an employment relationship with the state, resulting in complete dismissal of claims exceeding \$1 million.
- Represented a New Jersey healthcare system in defense of fraud, breach of contract, age discrimination, and CEPA retaliation claims brought by three physicians and their surgical group seeking more than \$9 million.
- Successfully defended multiple large, multi-disciplinary employers in four NJLAD and CEPA actions, securing summary judgment in each case and eliminating claims seeking more than \$1 million in alleged damages per matter.

Insights & More

Announcements

Greenbaum, Rowe, Smith & Davis Recognized on 2026 "Best Law Firms" List by Best Lawyers

11.06.25

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

8.21.25

Thirty-Five Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2025 Edition of New Jersey Super Lawyers

3.19.25

Greenbaum, Rowe, Smith & Davis Recognized on 2025 "Best Law Firms®" rankings by Best Lawyers®

11.06.24

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

Joel Clymer Sworn in as President-Elect of Garden State Bar Association

8.06.24

Thirty-Four Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2024 Edition of New Jersey Super Lawyers

3.25.24

Client Alerts

The ABC Test: NJ Adopts New Regulations for Determining Independent Contractor Status

5.07.26

Publications

Amid DEI Uncertainty, Cos. Face Pressure From All Sides

7.03.25

Seminars & Events

Litigation Avoidance & Litigation Awareness: What In-House Counsel Need to Know About Employment Discrimination and Retaliation Litigation

1.29.24

Litigation Avoidance Tactics for Employers: Identifying & Avoiding Exposure to Discrimination, Harassment, and Retaliation Litigation

5.04.22

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

3.23.22