

## John C. “Jay” Maloney, Jr

*Partner – New York*

Jay Maloney is a trial lawyer focused on federal securities and commercial litigation before federal and state courts, administrative agencies and various arbitration forums. He often litigates internationally, particularly in relation to Asia and the Middle East. Mr. Maloney’s experience includes representation of clients at all stages of litigation, from evaluation and planning of short term or long term trial strategy, pre-suit investigation, discovery, motion practice through trial, post-trial motions and appeal. He has substantial experience working with financial and valuation experts, both consulting and testifying. He has achieved favorable outcomes in 19 of 21 trials.

Prior to joining Zuber Lawler, Mr. Maloney was a partner at Day Pitney LLP. Prior to private practice, Mr. Maloney served as law clerk to the Honorable John J. Gibbons, United States Court of Appeals for the Third Circuit, 1975-1976.

Mr. Maloney also served 28 years of combined active and reserve duty in the U.S. Army Reserve, Military Intelligence Branch, and achieved the rank of Colonel. Colonel Maloney’s last assignment was command of a Strategic Military Intelligence Detachment in Miami, Florida. His military experience includes assignments to the Strategic Studies Institute at the U.S. Army War College, the Defense Intelligence Agency, and the National Ground Intelligence Center. His areas of strategic focus were Sub-Saharan Africa and Latin America, and terrorist group analysis. Colonel Maloney’s work earned him, among other awards, two Army Commendation medals for his contributions. Following his retirement from the U.S. Army Reserve, Colonel Maloney has dedicated significant time to veterans pro bono programs.

### Notable Representations

- **Securities Litigation.** Counsel to major bank in several lawsuits involving business torts, bankruptcy and internal bank fraud.
- **Securities Litigation.** Counsel to major corporations and a leading bank in class actions alleging violations of federal and state securities laws.
- **Securities Litigation.** Counsel to major securities exchange in connection with actions alleging violations of federal and state securities laws in New York and New Jersey.
- **Securities Litigation.** Served as NASD (now FINRA) arbitrator.
- **Insurance Litigation.** Counsel to major corporation in



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### Education

#### **New York University School of Law**

J.D.

Honors: Business Editor, Law Review

#### **Columbia University**

M.A.

Herbert H. Lehman Fellow

Graduate Facilities Alumni Fellow

#### **Fordham University**

B.A. *summa cum laude*

Phi Beta Kappa

Omicron Delta Epsilon

### Bar Admission

New York

New Jersey

Arizona

### Court Admission

U.S. Supreme Court

U.S. Court of Appeals - Second Circuit

U.S. Court of Appeals – Third Circuit

U.S. Court of Appeals – Ninth Circuit

U.S. District Court – District of Arizona

U.S. District Court – District of New Jersey

U.S. District Court – E. District of New York

U.S. District Court – S. District of New York

U.S. District Court – W. District of New York

U.S. District Court – E. District of Kentucky

coverage trial in Pennsylvania.

- **Insurance Litigation.** Counsel to insured of major insurance company in trials alleging injurious exposure to lead paint, alcohol poisoning and toxic clouds.
- **Distribution Litigation.** Counsel to major national manufacturer of consumables in a New Jersey-based dispute relating to a distribution agreement.

## Publications & Presentations

- **Author,** *Preparing the Expert Witness for Deposition*, TODAY'S GENERAL COUNSEL, Feb/Mar 2017.
- **Author,** *Preparing the Designated Corporate Representative for Deposition*, TODAY'S GENERAL COUNSEL, Aug/Sept 2016.
- **Presenter,** *Effective and Ethical Preparation of the Fact Witness for Deposition*, New Jersey Institute of Continuing Legal Education, June 17, 2016.
- **Co-author,** *FDA Delays Critical Decision on Generic Drug Labeling and Scope of Potential Tort Liability Regulations*, PHARMACEUTICAL OUTSOURCING, August 2015.
- **Moderator and Presenter,** *Preparing and Defending Your Witness: Guidance and Ethical Considerations for Fact Witnesses*, Corporate Representatives and Experts, Commercial Law WebAdvisor, May 14, 2015.
- **Author,** *Ten Commandments for Preparing the Deposition Witness*, TODAY'S GENERAL COUNSEL, Feb/Mar 2015.
- **Co-author,** *FDA Rule for Generic Drug Labels Would Alter Scope for Tort Liability*, NEW JERSEY LAW JOURNAL, April 28, 2014.
- **Moderator and Presenter,** *Lost Profit Damages in Commercial Litigation*, American Law Institute, December 17, 2014.
- **Presenter,** *Assessing Damages in Commercial Cases*, New Jersey Institute of Continuing Legal Education, 2014, 2012, 2010, 2008, 2006, 2004.

## Professional Affiliations & Activities

- **Member,** New Jersey District XB Ethics Committee, 2010-present.
- **Faculty Member,** National Institute of Trial Advocacy, Regional Programs in Trial and Deposition Skills, New York, New Jersey, Massachusetts, District of Columbia, 2001-present.
- **Master and President,** Worrall F. Mountain American Inn of Court, 1993-present.
- **Mediator,** Superior Court of the State of New Jersey, Morris County, 1993-present.
- **Founder,** (past) **President** and current **Director,** New Jersey Law Firm Group (non-profit outreach to diversity students at New Jersey law schools), 1989-present.
- **Trustee,** Third Judicial Circuit, American Inns of Court Foundation, 2009-2012.
- **Chairperson,** New York State Bar Association, Committee on Federal Constitution and Legislation, 1997-2005.
- **Chairperson,** New York State Bar Association, Coordinating NYSBA Response to Federal CounterTerrorism Initiatives, 2001-2004.
- **Member,** Arizona State Bar Association.
- **Member,** American Bar Association, Litigation Section.
- **Colonel,** United States Army Reserve, Military Intelligence Corps, 1970-1998.

- **Director**, North Jersey Civil War Roundtable, 2005-present.
- **Volunteer**, National Veterans Legal Services Program.

## **Honors & Achievements**

- Rated AV Preeminent by Martindale-Hubbell.
- New York Super Lawyer – Business Litigation, 2016, 2017.
- Super Lawyer, Corporate Counsel edition, 2010.
- New Jersey Super Lawyer – Business Litigation, 2009-2014.