



## Gregg S. Kahn

Partner

[gregg.kahn@wilsonelser.com](mailto:gregg.kahn@wilsonelser.com)

Madison, NJ – 973.735.6031

Gregg Kahn focuses his practice on labor and employment litigation, representing employers of all sizes. Gregg also devotes a substantial portion of his time to professional liability defense and real estate litigation. In his various roles over the course of his career, Gregg has counseled clients, handled complex litigation and coordinated litigation services on a nationwide basis.

Gregg has successfully defended numerous property managers and real estate brokers before HUD and the New Jersey Division on Civil Rights against charges of various forms of discrimination. Additionally, Gregg previously served as national litigation counsel for a real estate brokerage company where he also handled housing discrimination matters.

Prior to joining Wilson Elser, Gregg worked for several law firms in New Jersey where his practice focused on representing employers in labor and employment matters. His ability to connect with clients and his understanding of their issues stems from experience as in-house counsel for almost four years in both labor/employment and national litigation roles. Gregg is a results-driven proponent of practical solutions who maintains a clear line of communication with his clients.

### Employment & Labor

Gregg defends employers against employment discrimination, breach of contract and wrongful discharge actions under federal and state law. He also counsels employers on a wide variety of employment issues, including the ADA, ADEA, FMLA, FLSA, NJLAD (New Jersey Law Against Discrimination), Title VII and other employment and employee benefits laws, including COBRA and ERISA. He develops handbooks and personnel policies suited for both compliance with the law and ease and effectiveness in implementation. Gregg also has conducted management training sessions throughout the nation on employment law issues.

### Services

- Employment & Labor
- Fair Housing & Discrimination Claims
- Lawyers' Liability
- Life, Health, Disability & ERISA
- National Trial Team
- Real Estate Professionals

### **Professional Liability**

In the area of professional liability, Gregg defends real estate agents, attorneys, nurses and other professionals against negligence and related claims under federal and state law. In terms of real estate litigation, Gregg has handled breach of contract, fraud and related claims in both the residential and commercial real estate contexts.

### **Education**

- University of Pennsylvania Law School (J.D., 1994)
- Haverford College (B.A., 1991)

### **Bar Admissions**

- New Jersey, 1994

### **Court Admissions**

- U.S. District Court, District of New Jersey

### **Professional Affiliations**

- Board of Trustees of Center For Hope Hospice & Palliative Care
- New Jersey Apartment Association, member

## **Representative Matters**

Obtained the complete dismissal of a legal malpractice claim in New Jersey State Court via a successful motion for summary judgment on the basis that plaintiff's claim was barred by the Entire Controversy doctrine, which requires that whenever possible all phases of a legal dispute be adjudicated in one action.

Obtained the complete dismissal of a New Jersey Law Against Discrimination claim filed with the New Jersey Division on Civil Rights, in which the claimant alleged unlawful discrimination based on disability in connection with the landlord's charging of late fees on rental payments and repairs made to the claimant's apartment.

Obtained the complete dismissal of a Fair Debt Collection Practices Act, class action lawsuit against a law firm in New Jersey Federal Court via a successful motion to dismiss.

Obtained the complete dismissal of a New Jersey State Court lawsuit in which the defendant/third-party plaintiff asserted claims against a law firm for alleged violations of the federal Fair Debt Collection Practices Act.

Obtained the complete dismissal of a professional negligence claim against an insurance agency in New Jersey State Court via a successful motion for summary judgment on the basis that the plaintiff did not file an Affidavit of Merit in a timely manner.

Obtained the complete dismissal of a real estate professional liability claim in New Jersey

State Court, in which defendant/third-party plaintiff asserted claims against a real estate agent who represented the buyer in a residential real estate transaction.

Obtained the complete dismissal of two separate lawsuits in New Jersey State Court, in which the plaintiffs asserted claims against a law firm pursuant to the federal, Fair Debt Collection Practices Act for failing to conduct a meaningful review of the underlying collection account before commencing collection proceedings.

Obtained the complete dismissal of a New Jersey Law Against Discrimination claim in New Jersey State Court, in which the plaintiff alleged unlawful harassment and wrongful termination of her employment on account of her gender, via a successful arbitration hearing.

Successfully defeated a plaintiff's application for a temporary restraining order in an ERISA case venued in New Jersey Federal Court, in which plaintiff sought the restoration of health insurance benefits during the pendency of the litigation.

Obtained the complete dismissal of a legal malpractice claim in New Jersey State Court, in which plaintiff asserted claims against an attorney representing a mortgagee in a foreclosure proceeding.

Obtained the complete dismissal of a legal malpractice claim in New Jersey State Court via a successful motion to dismiss the Complaint on the basis that plaintiff could not establish proximate causation, a necessary element of such a claim.

Obtained the complete dismissal of a New Jersey Law Against Discrimination claim filed with the New Jersey Division on Civil Rights, in which the claimant alleged unlawful discrimination based on source of lawful income to be used for rental payments and rent subsidy.

## Publications

August 31, 2020

**U.S. Department of Labor Remote Work Guidance: Tracking Compensable Time**

August 6, 2020

**COVID-19 Liability Claims Playbooks – Now Available for Download!**

July 13, 2020

**OSHA COVID-19 Guidance: Workplace Facemasks Recommended**

June 19, 2020

**EEOC COVID-19 Guidance: Return-to-Work Antibody Testing Prohibited**

June 15, 2020

**New Q&A Update on EEOC COVID-19 Return to Workplace Guidance**

May 29, 2020

**CDC COVID-19 Workplace Reopening Guidelines – High-Risk Employees**

May 21, 2020

**OSHA Workplace COVID-19 Case Recording and Reporting**

May 11, 2020

**EEOC COVID-19 Guidance: Potential High-Risk Employees – Return to Work and Accommodations**