



Melissa C. Terranova

Associate

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Madison, NJ – 973.735.1467

Melissa Terranova handles a variety of professional malpractice actions, and represents health care facilities, physicians and other medical professionals in these actions. She is part of a firm practice that handles professional liability matters on behalf of attorneys and accountants; doctors, nurses, hospitals and nursing homes; insurance brokers and agents; real estate agents; architects and engineers; home inspectors; and miscellaneous real estate professionals.

Prior to joining Wilson Elser, Melissa worked at a well-regarded New York firm where she served as outside appellate monitoring counsel for insurance carriers, and represented some Fortune 500 companies in multimillion-dollar catastrophic personal injury cases. Melissa oversaw a docket of national litigation matters.

Medical Malpractice & Health Care

Melissa has experience in assisting with high-exposure cases. She assisted in settling matters and pre-trial motion practice involving the full range of medical malpractice claims, including misdiagnosis or delayed diagnosis, failure to treat, surgical or procedural errors, and childbirth injuries, among others. Melissa is well acquainted with the use of a defense damage anchor to combat excess verdicts.

Labor & Employment

Melissa has handled consultations for potential clients to assess the viability of claim(s) and exceptions to the relevant statute of limitations. She competently navigates the Equal Employment Opportunity Commission's process by drafting claimant's charges and rebuttals prior to promptly requesting a Notice of Right to Sue. She drafts and files federal complaints for civil rights claims arising under Title VII, Americans with Disabilities Act, Pregnancy Discrimination Act, Age Discrimination in Employment Act and Fair Labor Standards Act. Melissa has a strong understanding of the relevant federal rules of procedure, including Rule 26(f) meet and confer, and drafting proposed scheduling orders.

Services

- Medical Malpractice & Health Care

She has exclusively handled discovery including Rule 26(a)(1) initial disclosures, disclosures pursuant to the SDNY pilot discovery protocols, and interrogatories and document demands. Melissa conducted legal research and drafted confidential mediation statements and letter motions, consistent with judge's rules, and successfully argued opposition to defendant's motion to dismiss before a district court judge. She independently participated in the SDNY Mediation Program and reached favorable settlements in cases where the opposing party was represented by seasoned litigators or a firm partner. Melissa has handled an American Arbitration Association proceeding, by familiarizing herself with the relevant commercial rules, motion practice, compilation of all exhibits, drafted direct and cross examination and post-hearing brief.

Trust & Estates

Melissa has handled multiple probate and administration proceeding files; drafted, filed and served Surrogates Court petitions, forms and affidavits, as well as transfer securities and real property. She has handled the complications of an insolvent estate, which involved sorting of outstanding debt, calculating pro rata shares of the estate's assets, and correspondence with creditors. Melissa has completed due diligence in connection with a proposed will for probate where both attesting witnesses predeceased the decedent, and assisted in drafting a Last Will and Testament and ancillary documents. She also has experience with contested will proceedings.

Education

- Maurice A. Deane School of Law at Hofstra University (J.D., 2018)
- New York University (B.A. English and American Literature, 2013)

Bar Admissions

- New York
- New Jersey

Court Admissions

- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, District of New Jersey

Professional Affiliations

New York Bar Association

Representative Matters

Meaningfully assisted in defending high-exposure products liability case against a major auto manufacturer that involved a plaintiff who sustained traumatic brain and spinal cord injury.

Drafted successful renewed motion for summary judgment on behalf of a leading global security and aerospace company that was pled into this wrongful death case on a theory of vicarious liability and a novel issue of whether an employee's use of a work phone, while commuting to work, places him within the course and scope of his employment.

Publications

May 19, 2025

NJLJ Publishes Terranova & Billek on Monetizing “Nighttime Companionship”

New Jersey Law Journal

May 14, 2024

NJ Law Journal Publishes M. Terranova on Appellate Review of Nuclear Verdicts

NJ Law Journal

Client Wins

Billek and Terranova Defeat Legal Malpractice Claims on Standing and Jurisdiction Grounds

Maxwell Billek (Partner – Madison, NJ) and Melissa Terranova (Associate – Madison, NJ) secured a complete victory in a highly complex legal malpractice action pending in the New Jersey Superior Court, Monmouth County, on behalf of Wilson Elser’s client, a bankruptcy law firm.

The matter involved extensive and significant motion practice in a procedurally intricate case arising out of a prior bankruptcy proceeding. In moving for summary judgment, Max and Melissa advanced multiple independent procedural grounds for dismissal.

First, they established that the individual plaintiff lacked standing to assert legal malpractice claims because he was not the debtor in the underlying bankruptcy matter and therefore suffered no legally cognizable injury. Second, they demonstrated that the corporate plaintiff likewise lacked standing, as any potential claims belonged exclusively to the bankruptcy estate and could only be pursued by the trustee. Finally, they successfully argued that the Superior Court lacked subject matter jurisdiction because the claims arose directly from the administration of the bankruptcy estate and fell within the exclusive jurisdiction of the bankruptcy court.

The court agreed on all grounds - including substantive grounds involving the lack of an attorney-client relationship. It granted summary judgment in favor of Wilson Elser’s client, dismissed all claims with prejudice on both procedural and substantive bases, and denied plaintiffs’ cross-motion for partial summary judgment in its entirety.

This result reflects a decisive and comprehensive defense victory in a sophisticated legal malpractice matter involving standing, bankruptcy-estate ownership of claims, and jurisdictional principles.

