



## Thomas A. Gentile

Partner

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Madison, NJ – 973.735.5785

Thomas Gentile concentrates his practice in civil trial litigation, appellate litigation, arbitration and internal investigations. He has a specialization in shareholder disputes and has litigated such matters in the context of medical practices, a nursing home and a major surgical supply company. He also litigates complex estate matters in New York Surrogate's Court. Among his significant achievements in civil trial litigation are (1) securing a multimillion-dollar settlement to conclude 12 years of federal class action litigation between New Jersey ambulatory surgical centers and a major health insurance company and (2) obtaining a trial verdict on behalf of a manufacturer of plastic bags against a supplier of printing plates, which involved complex litigation proceedings in New Jersey, Florida and Israel.

Thomas also is an accomplished appellate litigator and serves as a core member of Wilson Elser's Appellate Practice. His significant achievements in appellate litigation include (1) a case in the Superior Court of New Jersey, Appellate Division on behalf of an ambulatory surgical center that defined the parameters of New Jersey insurance fraud law (which he had litigated to summary judgment in the trial court), and (2) serving as New Jersey counsel to an amicus curiae in a religious freedom case in the Supreme Court of New Jersey. Thomas has litigated appeals in the United States Court of Appeals for the Federal Circuit on behalf of taxpayers and on behalf of a major provider of Section 8 housing.

Thomas previously worked at a major law firm in New York City, where he represented large international corporations in litigation matters, including companies in the beverage, gaming and fashion industries. In this capacity, Thomas served for two years on a transitional in-house legal team for a major manufacturing company following the resignations of several high-ranking company officials alleged to have engaged in illegal conduct.

### Services

- Alternative Dispute Resolution
- Appellate
- Commercial Litigation
- Italy

For four years, Thomas served pro bono as the general counsel of the Italian-American public service organization FIERI International. He now serves as a Regional Vice President of the National Italian American Foundation (NIAF) and a member of NIAF's Da Vinci Council. Thomas is fluent in Italian and is a member of Wilson Elser's Italy practice.

After completing law school, Thomas served as a law clerk to then Honorable Samuel A. Alito Jr. of the United States Court of Appeals for the Third Circuit. In 1997, he served as the coordinator of New York Mayor Rudolph W. Giuliani's reelection campaign headquarters in Bay Ridge, Brooklyn. In 2005 and 2006, Thomas worked closely with the White House during the confirmation process through which Judge Alito became the 110th Justice of the United States Supreme Court.

### **Arbitration**

Alternative dispute resolution often resolves disputes quickly and efficiently because the parties can have more involvement and control over the process and outcome. ADR generally involves negotiation, mediation or arbitration. Thomas is skilled in the art of representing clients at arbitration, which involves a third-party decision maker who can render a binding decision.

### **Appellate**

Appellate advocacy is a unique litigation practice requiring mastery of highly technical procedural rules and the ability to give matters the kind of review they will invariably receive from appellate panels. Thomas is a member of Wilson Elser's talented and dedicated group of appellate attorneys throughout its office network who can step in and bring the litigation cycle to a satisfactory conclusion.

### **Internal Investigations**

Given the growing number of industry and governmental regulations and guidelines, Thomas helps clients proactively self-monitor to ascertain if employees are complying with the law and internal policies. Should an incident occur, he conducts a thorough investigation to determine whether a violation has occurred.

### **Education**

- Harvard Law School (J.D., 1995)
  - *cum laude*
  - executive editor, *Harvard Journal of Law and Public Policy*
- Harvard College (A.B., 1992)
  - *magna cum laude*
- Centro Linguistico Dante Alighieri (1992)
  - Florence, Italy, *Certificato di Conoscenza*

### **Bar Admissions**

- New Jersey

- New York

### **Court Admissions**

- U.S. Court of Appeals, Third Circuit
- U.S. Court of Federal Claims
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

### **Professional Affiliations**

- National Italian-American Foundation, Area Coordinator

### **Awards & Honors**

- Selected for inclusion in *New Jersey Super Lawyers®*, 2014–2024

### **Languages**

- Italian

## **Client Wins**

### **Gentile and Prupis Secure Dismissal in Suffolk County (NY) Supreme Court**

Thomas Gentile (Partner-Madison, NJ) and Neil Prupis (Partner-Madison, NJ) prevailed on behalf of their client in on a motion to dismiss before the New York Supreme Court, Suffolk County. The case presented the question of whether an individual nondomiciliary's guarantee of an out-of-state corporation's debt to a New York corporation confers personal jurisdiction in New York over the nondomiciliary guarantor. Although New York's appellate Departments (as well as federal courts in New York) are divided on this issue, the court granted the motion to dismiss for lack of personal jurisdiction, citing both favorable case law as well as arguments regarding the insufficiency of the plaintiff's allegations concerning the nondomiciliary guarantor's contacts with New York.