



Marc J. Gross

Partner

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With more than three decades of experience, Marc focuses his practice on business litigation and the management of legal issues in crisis situations.

Marc has extensive trial and appellate experience and is highly regarded as a creative and tenacious litigator. His advocacy spans a wide range of practice areas, including partnership and corporate conflicts, trade secret issues, real estate disputes, shareholder and franchise matters, employment issues, trust and estate matters as well as other complex commercial disputes with an emphasis on high stakes litigation.

For more than 25 years, Marc has applied razor-sharp instincts to jury and non-jury trials, provided perceptive appellate advocacy, made abundant appearances for emergent relief on “bet-the-company” litigation and shrewdly negotiated favorable settlements for countless clients.* He routinely represents a diverse clientele that includes entrepreneurs, closely held family businesses, automobile dealerships and real estate and technology ventures.

**Results may vary depending on your particular facts and legal circumstances.*

Marc has appeared in federal courts throughout New Jersey and New York, and in the Superior Courts of New Jersey in nearly every county. He has served as lead counsel in matters throughout the New York metropolitan area and across the U.S., including Alabama, California, Kansas, Nebraska, Nevada, Pennsylvania and Vermont. Marc has also appeared as a panelist in forums for the legal profession, written articles on hot topics in business litigation and provided legal commentary on nationally televised news broadcasts.

Services

- Litigation

Before Fox Rothschild

Prior to joining Fox, Marc was a partner and led his practice group at a New Jersey law firm. He also previously worked as a law clerk for The Honorable Serena Perretti, Superior Court of New Jersey, Law Division, assisting in both criminal and civil matters.

Beyond Fox Rothschild

Marc was elected President of the Essex County Bar Association, the state's largest county bar, and has served as Chair of the New Jersey State Bar's Federal Practice and Procedure section. Additionally, Marc has actively served as Chairman or President of several nonprofits, including the North Jersey Business Council and Parkinson's Heros, Inc.

Representative Matters*

- Obtained an injunction to restrain one of the world's largest petroleum companies from terminating all of its franchise owners in New Jersey, in role as lead counsel for nearly 40 franchised gasoline station owners who were threatened with franchise termination.
- Represented a New York media company in multimillion-dollar "bet the company" litigation in New York federal court.
- Representation of a putative nationwide class of investors against a multinational investment firm seeking damages in excess of \$75 million.
- Obtained registration and use of disputed trademark on motion, without trial, as lead counsel for a national cosmetics manufacturer in trademark litigation.
- Obtained dismissal of all claims on motion as lead counsel for a venture firm in a suit related to the firm's sale of its radio station for \$54 million. The dismissal was affirmed on appeal.
- Obtained dismissal of an action that sought to rescind a sale involving more than 400 single family homes while representing real estate developer in the trial court and on appeal.
- Obtained dismissal of all claims after three-week jury trial in role as lead counsel for nationally renowned consulting firm and its majority shareholders, defending against claims of shareholder oppression and employment discrimination in litigation brought in federal and state court by dissenting shareholders.
- Obtained successful jury verdict after extended trial as lead trial counsel for a telecommunications firm in a suit filed by its former chairman and landlord, seeking more than \$1 million in damages.
- Defended general partner/executor of family business in estate litigation filed by family members seeking multimillion-dollar recovery. Settled the matter after three weeks of trial with the general partner/executor receiving settlement sums in excess of \$300,000.
- Obtained a successful settlement after two weeks of trial in representing an automobile distributor in a suit filed by a dealer to restrain the opening of an additional dealership within eight miles.
- Represented a property owner in a condemnation proceeding, which avoided the taking of real property and obtained an award of attorneys' fees in excess of \$300,000.
- Represented a multimillion-dollar ATM distributor and processor in a successful suit to restrain competition by the former sales manager through enforcement of post-employment restrictive covenant. Obtained an injunction against the sales manager on an expedited basis without trial.
- Represented 50 percent shareholder and garment manufacturer in crisis seeking to restrain the other 50 percent shareholder from directing corporate activities. Succeeded in obtaining an injunction to restrain the activities of the other shareholder by obtaining corporate control of the entity.

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Bar Admissions

- New Jersey
- New York

Court Admissions

- 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
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Supreme Court

Education

- George Washington University Law School (J.D., 1991)
- George Washington University (B.A., *cum laude*, 1988)

Memberships

- Essex County Bar Association, President (2007-2008)
- New Jersey State Bar Association Federal Practice and Procedure Section, Chair (2009-2010)
- North Jersey Business Council, President and founding member
- Phi Beta Kappa

Board of Directors

- Greater Newark Conservancy, Former Member (1999-2003)
- Parkinson's Heros, Inc. Board of Trustees, Founder and Chairman

Honors & Awards

- **Selected to the "Super Lawyers" list for Business Litigation in New Jersey (2006-2023)** *This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Selected to the *Benchmark Litigation* list of "Future Stars" in New Jersey (2013-2017)** *This award is conferred by Euromoney Institutional Investor PLC. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Recipient of the Essex County Bar Association Young Lawyers' Section Achievement Award (1999)**
- **Recipient of the George Washington University Isaac Davis Prize for outstanding oral advocacy**