



## John L. Murad, Jr.

*Partner*



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John L. Murad is a trial lawyer and a partner in the Litigation Practice. He has served as the Chair of the Litigation Department and served as a member of the Firm's Executive Committee. Mr. Murad has successfully tried cases in State and Federal Court for more than 30 years, obtaining jury verdicts in favor of healthcare institutions and practitioners, product manufacturers, employers, petroleum distributors, and municipalities. He has developed a unique expertise in the representation of healthcare institutions, physicians and dental practitioners, including oral surgeons. Mr. Murad has also been retained as a mediator and arbitrator in commercial and personal injury matters for more than 20 years.

### PRACTICE AREAS

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- Litigation
- Commercial Litigation
- Products Liability Litigation
- Professional Liability
- Government Relations
- Alternative Dispute Resolution
- Environmental

### REPRESENTATIVE MATTERS

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- Obtained a defense jury verdict for a healthcare institution in which a plaintiff's alleged wrongful death due as a result of malnutrition, lithium toxicity and a failure to administer fluids and food (New York State Supreme Court, Onondaga County).
- Successfully defended an action of malpractice against an attorney for alleged malpractice resulting in failure to preserve an underlying medical malpractice claim (New York State Supreme Court, Onondaga County).
- Obtained a favorable defense settlement for a healthcare professional who was sued in an adversary proceeding for alleged conversion of a dental practice (U.S. Bankruptcy Court, District of New Jersey).
- Successfully defended a malpractice claim against an oral surgeon where the plaintiff sustained trismus due as a result of an alleged improper surgical procedure (New York State Supreme Court, Onondaga County).
- Obtained a favorable verdict for an oral surgeon who allegedly failed to diagnose fractures in or near the plaintiff's temporal mandibular joint resulting in TMJ dysfunction (New York State Supreme Court, Monroe County).
- Obtained a favorable defense verdict for an oral surgeon who was alleged to have committed malpractice for failure to diagnose mandibular fractures (New York State Supreme Court, Monroe County).
- Obtained a defense jury verdict for a Dental Clinic, its dentist and oral surgeon for alleged malpractice in failure to diagnose for sinus communication of a foreign body (New York State Supreme Court, Albany County).
- Obtained a favorable defense jury verdict for an oral surgeon for alleged malpractice for improper arthroscopy of the temporal mandibular joint (New York State Supreme Court, Onondaga County).

- Successfully defended an action against an oral surgeon who was alleged to have caused severe nerve damage during a surgical procedure (New York State Supreme Court, Onondaga County).
- Obtained a favorable defense jury verdict for an oral surgeon for alleged failure to diagnose an intra-oral malignant tumor (New York State Supreme Court, Onondaga County).
- Obtained a preliminary injunction and favorable settlement for a healthcare institution for alleged breach of contract for the purchase of faulty computer software.
- Represented the Mohawk Valley Water Authority in an action to confirm its right to withdraw the maximum amount of water from Hinckley Reservoir as permitted under an agreement with the State of New York. The action was favorably settled giving the Authority the right to withdraw the maximum amount of water sought in the litigation, free from any compensation obligation.
- Obtained a favorable settlement for damages on behalf of a local chemical company against a tank lining company for the discharge of hexavalent chromium (New York State Supreme Court, Onondaga County).
- Obtained summary judgment on behalf of a local municipality against a plaintiff who alleged a wrongful termination pursuant to the provisions of an employment contract (New York State Supreme Court, Oneida County).
- Obtained summary judgment on behalf of a municipality against a plaintiff who alleged retaliation under the Americans with Disabilities Act (New York State Supreme Court, Oneida County).
- Obtained a favorable settlement on behalf of a municipality, which sought recovery for contamination caused by leakage from underground storage tanks which resulted in the demolition of several adjacent homes. The case required proof that the discharge from the tanks contained leaded gasoline from the 1960s (New York State Supreme Court, Oneida County).
- Obtained summary judgment on behalf of a manufacturer for alleged defects and breach of warranty involving the sale of commercial laundry equipment (New York State Supreme Court, Onondaga County).
- Obtained favorable settlement for a local manufacturer for alleged breach of warranty against a manufacturer of a computerized lathe (New York State Supreme Court, Onondaga County).
- Obtained a favorable settlement for a gas station owner who was alleged to have discharged petroleum from an underground storage tank in an action commenced by the New York State Department of Environmental Conservation (New York State Supreme Court, Albany County).
- Obtained defense jury verdict in favor of an employer for alleged sexual harassment and retaliation claims brought against a School District (U.S. District Court, Northern District of New York).
- Successfully prosecuted a minority shareholder action and obtained a judgment in a closely held corporation (New York State Supreme Court, Madison County).
- Obtained preliminary injunction and favorable settlement of claim of breach of contract by a local franchisee against a national restaurant franchisor (U.S. District Court, Northern District of New York).
- Obtained a favorable plaintiff's verdict on behalf of a local petroleum distributor who alleged negligent relining of an underground storage tank (New York State Supreme Court, Otsego County).
- Obtained a defense jury verdict for a restaurant in Northern New York in which the plaintiff alleged a sexual assault and other serious personal injuries as a result of an altercation with a patron who was allegedly served alcohol while intoxicated and underage (U.S. District Court, Northern District of New York).
- Obtained a defense jury verdict for a national manufacturer of automobiles in a products liability action involving amputation of several fingers on both of plaintiff's hands (New York State Supreme Court, Chenango County).

## RECOGNITIONS AND HONORS

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- Rated, AV Preeminent, [Martindale-Hubbell](#)
- Selected, [The Best Lawyers in America](#) (2010-2018)
- Selected, Upstate - New York, [Super Lawyers](#) (2011-2017)
- Recipient, President's Award for Distinguished Service, SUNY Upstate Medical University (2012)
- Inducted into the [American College of Trial Lawyers](#) (2005)

## PROFESSIONAL AND COMMUNITY ACTIVITIES

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### PROFESSIONAL ACTIVITIES

- Fellow, [American College of Trial Lawyers](#)
- Member, [Federation of Defense & Corporation Counsel](#)
- Member, [International Association of Defense Counsel](#)
- Member, New York State Bar Association, Ad hoc Committee on Multi-disciplinary Practice
- Member, Onondaga County Bar Association, Judiciary Committee
- Member, Onondaga County Bar Association, Ad hoc Committee for Fee Dispute Resolution
- Member, Onondaga County Bar Association, Ad hoc Committee on Judicial Selection

### COMMUNITY ACTIVITIES

- Director, Upstate Medical University Foundation Board
- Director, Onondaga Community College Foundation Board
- Past Trustee, State University of New York (Chairman, Academic Medical Centers & Hospitals Committee)
- Past Chair of the Board of Directors of the American Red Cross Onondaga Oswego Chapter
- Past Director, Onondaga County Historical Association

## SPEAKING ENGAGEMENTS

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- Onondaga County Bar Association, "Advice from the Experts: Successful Strategies for Winning Commercial Cases in NYS Courts" (October 2013)

## EDUCATION

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- Georgetown University Law Center, J.D., 1983
- Hamilton College, B.A., *cum laude*, 1980

## ADMISSIONS

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- New York
- United States District Court (NDNY)
- United States District Court (WDNY)