

David Katzenstein

MEMBER

David Katzenstein is a litigator with over 42 years of experience in the defense of personal injury and commercial cases in New Jersey and New York, during which he has tried many cases to verdict. David has also served and tried cases as joint medical counsel in New Jersey and is currently national coordinating counsel for several clients in mass tort litigation. David has substantial expertise in fiber type, low dose, state-of-the-art, and epidemiology-based defenses of asbestos cases. Based on this expertise, David was appointed by an Administrative Justice of the Supreme Court of New York to train judges assigned to handle asbestos trials. In addition to his mass tort experience, David has handled complex environmental cases in New Jersey and New York state and federal courts, including trying property damage cases to verdict as well as acting as Liaison Counsel for a group of defendants in a 200-party CERCLA matter for close to 10 years.

REPRESENTATIVE MATTERS

- Served as liaison counsel for a group of third-party defendants in a Superfund matter involving more than 200 parties from 1999 – 2009.
- Lead Negotiator for Medicare-compliance New Jersey Case Management Order.

PROFESSIONAL AFFILIATIONS

- Association of Defense Trial Attorneys
- New Jersey State Bar Association
- Defense Research Institute

COMMUNITY INVOLVEMENT

- NJ LEEP (Law and Education Empowerment Project), Volunteer
- New Jersey State Bar Foundation High School Mock Trial Team, Coach/Advisor

AWARDS AND RECOGNITION

- Selected for inclusion as The Best Lawyers in America 2023 – 2027 for Commercial Litigation and Mass Tort Litigation / Class

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PRACTICE AREAS:

Mass Tort Litigation

Appellate

PFAS Chemicals

Israel Practice

STATE ADMISSIONS:

New Jersey

New York

COURT ADMISSIONS:

U.S. District Court for the District of New Jersey

U.S. District Court for the Southern District of New York

U.S. District Court for the Northern District of New York

U.S. District Court for the Eastern District of New York

U.S. District Court for the Western District of New York

U.S. Court of Appeals for the Third Circuit

EDUCATION:

J.D., Boston University School of Law, 1982

B.A., Yeshiva University, 1979

Actions – Defendants

- Selected for inclusion as a 2023 New York Top Rated Lawyers by the New York Law Journal
- Selected for inclusion in the 2021 Top Rated Lawyers by Martindale Hubbell
- Selected for inclusion in the New Jersey and New York *Super Lawyers*

LANGUAGES:

German
Hebrew

NEWS AND INSIGHTS

PUBLICATIONS

- "2 NJ Rulings Expand Manufacturer Liability," co-author, Law360, October 2020.
- "Third Circuit Rules Maritime Negligence Claims May Survive 'Bare Metal' Defense," co-author, Westlaw Journal Asbestos, February 2018.
- "Should Hashtags Break Out of Social Media?" Risky Business, March 19, 2015.
- "CERCLA Only Preempts State Statutes of Limitations on State-Law Cases," co-author, New Jersey Law Journal, November 20, 2014.

SPEAKING ENGAGEMENTS

- "Formal and informal discovery: Demonstrative evidence – Documents, depositions and experts – the plaintiff and defense perspectives," co-presenter for the NJICLE program, Product Liability: From Intake Through Trial, February 20, 2024.
- "Diversity/Inclusion/Implicit Bias," co-chair and panel moderator, HarrisMartin's New Jersey Asbestos Litigation Conference, March 2023.
- "Current Regulation of PFAS," presented for the Perrin Mass Tort Conference, June 2021.
- "Jury Trials v. Bench Trials," presenter for the HarrisMartin New Jersey Asbestos Litigation Conference, February 2021.
- "Mesothelioma Claims Associated with Talcum Powder," presenter for the HarrisMartin New Jersey Asbestos Litigation Conference, January 2020.
- "New Jersey Recent Court Rulings Affecting the Asbestos Litigation: Proving Cross-Claims, Forum Non Conveniens, Bankruptcy Trusts, Bare Metal, etc" panel moderator for the HarrisMartin New Jersey Asbestos Litigation Conference, February 2019.
- "General Causation & Specific Causation – Comparing and Contrasting the Mesothelioma and Ovarian Cancer Cases," panelist, HarrisMartin's Talc, Asbestos, and the Cancer-Causing Properties of Talcum Powder Conference, November 2, 2018, Miami.
- "Mock Trial of a Talc Based Mesothelioma Case," co-chair and presenter for HarrisMartin's California Asbestos Litigation conference, July 2018.
- "Personal Jurisdiction Update," co-presenter, Resolute Management, Inc., July 2017.

- "Update on Pennsylvania Product-Liability Law," co-presented to Resolute Management, Inc., April 2017.
- "Mock Trial of a Talc Based Mesothelioma Case," co-chair and presenter for HarrisMartin's New Jersey Asbestos Litigation conference, February 2017.
- "Mock Trial of a Smoking Lung Cancer Case," co-chair and presenter for HarrisMartin's New Jersey Asbestos Litigation conference, February 2017.
- "Climbing the Corporate Ladder Without Making Sacrifices, life as an observant Jew in the workplace," panel member at the Orthodox Union's program *Torah in the City*, January 15, 2017.
- "Lung Cancer Cases – What's Next," panelist, Litigating Asbestos Cases in Today's Environment, Featuring Insights from the Bench: The Judicial Perspective, Perrin Conferences (New York City), December 2, 2015.
- "Empirical Evidence on the State of the Art Defense," moderator for presentation by Professor David Sicilia, ACI Asbestos Litigation Conference (Chicago), June 23, 2015.
- "The State of the Art Defense and it's applicability in New Jersey," presenter and co-chair, HarrisMartin's New Jersey Asbestos Litigation Conference, February 27, 2015.
- "In House Corporate and Insurer Panel on Financial & Legal Decisions, Managing Claims, Defense Costs, Controlling Costs to Resolve Claims, Settlement Negotiations, and More," panelist, American Conference Institute's 17th National Advanced Forum on Asbestos Claims & Litigation, June 2014.
- "Lung Cancer Claims," presenter and co-chair, HarrisMartin's New Jersey Asbestos Litigation Conference, February 21, 2014.
- "Medicare: Changes Under the Smart Act," presenter and co-chair, HarrisMartin's New Jersey Asbestos Litigation Conference, March 14, 2013.
- "Medicare Update in New Jersey Asbestos Settlements," HarrisMartin, March 2012.