



# Michael J. Fitzpatrick

## Partner

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## Overview

Michael Fitzpatrick practices in the areas of commercial litigation, creditors' rights litigation and products liability defense. He regularly defends manufacturers against personal injury suits, including claims involving asbestos-containing products. He frequently represents clients in complex contractual disputes, as well as in defense of alleged violations of consumer protection statutes, such as the Telephone Consumer Protection Act and the New Jersey Consumer Fraud Act. Michael has experience defending clients against putative class actions in the U.S. District Court of New Jersey and Eastern District of New York.

Michael also represents consumer lending institutions, such as mortgage lenders, investors and servicers, in connection with the defense of claims asserted by borrowers, municipalities and other governmental bodies. Michael also has experience defending consumer lending institutions in New York in connection with quiet title actions seeking to discharge a mortgage based on the alleged expiration of the statute of limitations.

Michael is actively involved in pro bono matters. He acts as a court-appointed representative of allegedly incapacitated persons in guardianship proceedings in New Jersey, and represents abused women who cannot afford legal representation obtain final restraining orders against their abusers.

In addition, Michael is co-chair of Day Pitney's Hiring Committee, which is responsible for interviewing and hiring entry-level associates, on-campus interviews and student recruiting, as well as overseeing the firm's Summer Associate Program for all offices. He has been actively involved in the firm's Summer Associate Program for many years, including serving as an assignment coordinator and moderating training programs and roundtables.

## Education and Credentials

### Education

Seton Hall University School of Law, J.D., *magna cum laude*, 2013, Order of the Coif; *Seton Hall Law Review*, comments editor

Boston College, B.A., 2010

## Practices & Industries

[Cannabis](#)

[Class Action Litigation](#)

[Complex Commercial Litigation](#)

[Consumer Finance & Creditors' Rights](#)

[Energy Litigation](#)

[Fiduciary and Probate Litigation](#)

[Litigation](#)

[Mass Tort Litigation](#)

[Product Liability & Torts Litigation](#)

## Admissions

State of New Jersey

State of New York

U.S. Court of Appeals for the First Circuit

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 for the Second Circuit

U.S. Court of Appeals for the Third Circuit

## Affiliations

Product Liability Advisory Council's (PLAC) Future Leaders Program

# Recognition and Community

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome. [See Awards Methodology.](#)*

## Recognitions

Selected to [The Best Lawyers in America](#) list of Ones to Watch (Woodward/White, Inc.) for Mass Tort Litigation / Class Actions - Defendants, 2022-2025; Product Liability Litigation - Defendants, 2023-2025

Selected to the list of New Jersey [Super Lawyers](#) Rising Stars (Thomson Reuters), Creditor Debtor Rights, 2022-2024

# Insights

New FCC Rules for Revocation of Consent under the TCPA

March 28, 2024

New FCC Rules for Marketing Using Text Messages and Obtaining Marketing Leads

January 9, 2024

New Jersey Appellate Division Expands Exception to the 'American Rule' for Recovering Attorneys' Fees

May 15, 2023

TCPA: Revisions to FCC Regulations Regarding Prerecorded Voice Message Calling

January 12, 2023

Assignment for the Benefit of the Creditors? One Creditor's Experience With an Archaic State Insolvency Process

September 8, 2022

Global Attorney-Client Privilege Guide, Lex Mundi

October 29, 2021

Supreme Court Declines to Invalidate the TCPA Cell Phone Calling Restrictions

July 7, 2020

New Jersey Supreme Court Moves Closer to *Daubert* Standard for Admissibility of Expert Testimony

August 3, 2018

Lawsuit Not Required to Rescind Loan Under TILA

March 18, 2015

## News

Putting Your Best Foot Forward: Best Practices For Application Materials/Interviews

March 8, 2024

Michael Fitzpatrick Joins the Product Liability Advisory Council's Future Leaders Program

March 21, 2023

Eleven Day Pitney Attorneys Elevated to Firm Partnership for 2023

January 3, 2023

Michael J. Fitzpatrick

January 3, 2023

Four Day Pitney Attorneys Honored with Pro Bono Award

January 28, 2016

## In The Media

"Trends in Talc and PFAS Litigation, and Regulations to Watch in 2024," PLAC 2024 Spring Conference

April 3-5, 2024

New Partners Yearbook 2023, New Jersey Law Journal

New Jersey Law Journal, March 2, 2023

Day Pitney Elevates 11 To Partner

Law360 Pulse, January 3, 2023

Day Pitney Real Estate, Land Use Lawyer in New Jersey Named Partner

Real Estate NJ, January 4, 2023

Eleven Day Pitney Attorneys Elevated to Firm Partnership in 2023

The Boca Raton Tribune, January 4, 2023

Creditors Must Maintain Abandoned Property Before Foreclosure Is Completed

New Jersey Law Journal, July 1, 2014