



Charles J. Falletta

Member



Newark, NJ



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Charles J. Falletta is a Member of the Firm's Litigation Practice Group with over 20 years of experience in defending complex commercial and class action litigations, as well as product liability and mass tort litigations for a variety of regulated products including pharmaceuticals, medical devices, consumer products and foods. Mr. Falletta also has extensive experience managing e-discovery to execute efficient, case-specific e-discovery solutions.

Mr. Falletta is an effective problem solver always looking for ways to aggressively, but efficiently, address the needs of his clients. He is committed to frequent communications to ensure that his clients are part of the process as well as the litigation solution, whether that means the early resolution of matters or taking cases to trial.

Mr. Falletta has experience litigating matters in both state and federal trial and appellate courts, as well as arbitration, involving corporations and other businesses in complex litigation, including banking clients, insurance clients, real estate developers and other commercial clients, including a global retailer and warehouse club, an Italian multinational biotechnology company, an international electronics manufacturer, an international app developer, a global provider of IT products and services, and a television production company. He has handled both small and large cases involving breaches of contract, civil RICO, trade secrets, unfair competition and class action lawsuits involving consumer fraud under New Jersey's Consumer Fraud Act, New York's Deceptive Practices Act, the Telephone Consumer Protection Act ("TCPA") and New Jersey's Truth-in-Consumer Contract, Warranty and Notice Act ("TCCWNA").

In addition, Mr. Falletta's litigation experience includes serving on national and local counsel teams defending large pharmaceutical companies in multi-district litigations throughout the country against product liability claims involving pharmaceuticals and medical devices, as well as consumer products and industrial products.

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Mr. Falletta also has extensive e-discovery experience, including investigations, litigation holds, forensic examinations, custodial and database collections of electronically stored information, and negotiations of ESI protocols.

Mr. Falletta clerked for the Hon. Harry A. Margolis, former Presiding Judge of the Essex County Chancery Division, General Equity Part. He joined the Firm in 2005 from Drinker Biddle & Reath LLP in Florham Park, New Jersey. He was promoted to Member at Sills Cummis & Gross in 2008.

He has been recognized by various publications, including *New Jersey Law Journal's*® "40 Under 40" in 2010, *New Jersey Super Lawyers*® "Rising Stars" in 2011 and *The Best Lawyers in America*® 2020-2022 under Commercial Litigation. See [Award Methodology](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Practices

Appellate

Banking and Finance Litigation

Class Action Litigation

E-Discovery/Technology

Litigation

Product Liability

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

Representative Decisions

Bankers Conseco Life Ins. Co. v. Wilmington Trust, N.A. 195 A.D. 3d 109 (N.Y. App. 1st Dep't 2021)

April 20, 2021

Bankers Conseco Life Ins. Co. v. Egan-Jones Ratings Co., 193 A.D. 3d 539 (N.Y. App. 1st

Dep't 2021)

April 20, 2021

Newsroom

In the News

Charles J. Falletta Named to New Jersey Law Journal's "40 Under 40"

New Jersey Law Journal

August 6, 2010

Presentations

Recent Developments in Class Action Litigation

New Jersey Institute for Continuing Legal Education

November 29, 2016

Publications

Proposed Amendments to FRE 702: The Court as Gatekeeper to Expert Testimony

New Jersey Law Journal - Product Liability & Class Action Supplement

December 13, 2021

NJ Supreme Court Opens Door for Plaintiffs to Pursue Product Liability Claims Under CFA

New Jersey Law Journal - Product Liability & Class Action Supplement

December 14, 2020

The Dangers of Waiting Too Long to Request Return of Inadvertently Produced Privileged Information

The Metropolitan Corporate Counsel

July 1, 2012

Computer-Assisted Review of E-Discovery: The First Order and Opinion Approving Its Use; Has the Future Arrived?

New Jersey Law Journal - Complex Litigation & E-Discovery Supplement

May 21, 2012

U.S. Supreme Court Reverses New Jersey's Exercise of Personal Jurisdiction over Foreign Manufacturer

The Metropolitan Corporate Counsel

October 1, 2011

The Who, What, When, Where and How of Litigation Holds

New Jersey Law Journal - Complex Litigation & E-Discovery Supplement

May 23, 2011

A Cautionary Tale: The Duty to Preserve and Collect Documents Revisited

New Jersey Law Journal - Complex Litigation & E-Discovery Supplement

May 17, 2010

Client Alerts

New Jersey Supreme Court Opens The Door For Plaintiffs To Pursue Traditional Product Liability Claims Under New Jersey's Consumer Fraud Act

Product Liability

October 6, 2020

Federal Preemption in the Wake of Albrecht: The U.S. Supreme Court Unexpectedly Levels the Playing Field

Product Liability

March 3, 2020

Merck Sharp & Dohme Corp. v. Albrecht: The U.S. Supreme Court Weighs In On Preemption

Product Liability

June 26, 2019

New Jersey Supreme Court Puts Out a Welcome Mat for Out-Of-State Plaintiffs with Time Barred Claims

Product Liability

February 13, 2017

New Jersey Court Excludes "Made-For-Litigation" Causation Expert Opinions in Talc-Based Powder Products Litigation

Product Liability

October 3, 2016

Spoilation and Adverse Inferences: Paper Documents Count Too!

Product Liability

December 9, 2015

New Jersey Appellate Division Reverses Exercise of Personal Jurisdiction Over Foreign Manufacturer

Product Liability

November 17, 2014

Alabama Supreme Court: Brand-Name Pharmaceutical Manufacturer Can Be Sued for Injury Caused by Generic Product

Product Liability

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March 1, 2013

The Perils of Internet Research by Jurors

Product Liability

April 1, 2012

Kendall v. Hoffman-LaRoche, Inc. - The Interplay between the New Jersey Product Liability Act's Presumption of Adequacy for FDA-Approved Warnings and the Discovery Rule in Evaluating a Statute of Limitations Defense

Product Liability

February 1, 2012

Bailey v. Wyeth, Inc. and DeBoard v. Wyeth, Inc. — New Jersey Product Liability Act's Presumption that FDA-Approved Warnings Are Adequate

Product Liability

October 1, 2011

U.S. Supreme Court Reverses New Jersey's Exercise of Personal Jurisdiction over Foreign Manufacturer

Product Liability

August 1, 2011

Pliva, Inc. v. Mesing - United States Supreme Court Holds That Failure to Warn Claims against Generic Pharmaceutical Manufactures Are Pre-Empted by Federal Law

Product Liability

June 1, 2011

Jury Trials in New Jersey: The Impact of Modern Technology on Jury Requests to "Read-Back" Trial Testimony

Product Liability

March 1, 2011

Caution: Discussions between Counsel and Client during a Deposition May Not Be Privileged

Product Liability

February 1, 2011

Rankings and Recognition

Selected for inclusion in:

- *The Best Lawyers in America*®* 2020-2022, Commercial Litigation
- *New Jersey Law Journal*®* "40 Under 40" 2010

Sills Cummis & Gross P.C.

- *New Jersey Super Lawyers®** “Rising Stars” 2011, Personal Injury Defense: Products, Business Litigation and Class Action/Mass Torts.

* See [Award Methodology](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Affiliations

Member, New Jersey State Bar Association

Member, American Bar Association

Member, Defense Research Institute (DRI)

— *Member*, Drug and Medical Device Committee

— *Member*, Class Action and Multi-Party Litigation Specialized Litigation Group

Member, International Association of Defense Counsel (IADC)

Member, New Jersey Defense Association

Education

J.D., Seton Hall University School of Law

B.A., Rutgers University, *Phi Beta Kappa*

Bar Admissions

New Jersey

New York