Sean Alden Smith

Member

Family Law Services, Litigation

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> My experience working with BE has been nothing short of outstanding. I am grateful for the day that I was introduced to Sean Smith. Sean guided me through a challenging multi-year divorce. The knowledge and experience Sean brings to the table means you have options at every critical juncture.

~ A.T.

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

For more than twenty (20) years, Sean takes the time to listen to his clients and provide crisp, clear guidance that is actionable.

A seasoned litigator, Sean focuses his practice on representing both individuals and corporations in their personal, business and commercial matters, including complex high-net-worth matrimonial matters. Sean has honed his extensive litigation skills to effectively represent clients in all aspects of their lives by custom-tailoring solutions to their complicated, and often sensitive, problems.

Sean regularly represents clients in matters involving healthcare regulatory and statutory disputes; multifamily property matters; and family services including estate and tax planning, prenuptial agreements, matrimonial/divorce matters, child custody/protection issues, grandparent visitation rights, kinship guardianships, and domestic violence.

Sean acts as a mediator and sits as an early settlement and blue ribbon panelist to assist the Court, attorneys, and litigants in the resolution of complex family law matters in New Jersey. Prior to joining Brach Eichler, Sean served as a law clerk to the Honorable Sybil R. Moses, A.J.S.C. (ret.), New Jersey Superior Court.

EDUCATION

- Seton Hall University, School of Law, J.D.
- Loyola University Maryland, B.A.

BAR AND COURT ADMISSIONS

- New Jersey
- New York
- U.S. District Court, District of New Jersey

REPRESENTATIVE MATTERS

Each matter handled by Sean is dependent upon the unique facts and particular circumstances. An example of successful matters handled by Sean include:

- Successfully represented and resolved a complex relocation matter involving multiple children and post-judgment relationships
- Successful resolution of complex dispute involving unmarried individuals and their joint business venture
- Successful resolution of hundreds of family law disputes involving issues of spousal support, custody, and equitable distribution of personal property and business interests
- On behalf of estate, obtained judgment declaring testamentary trustee position vacant and substituting new trustee to effectuate purposes of trust.
- Obtained injunctive relief against family members engaging in improper and harassing behavior.
- A favorable settlement wherein a testamentary trust was dissolved and the corpus distributed to the income beneficiary and the remaining beneficiaries, despite clear intent by the testator that the trust remain in place throughout the life of the income beneficiary
- On behalf of an Estate, successful prosecution establishing that an unsigned document was a writing intended to be the last will and testament of a decedent
- Successful resolution of several class action claims in the Superior Court of New Jersey, Middlesex County, against several multifamily property owners brought by current and former tenants alleging consumer fraud, breach of contract, and entitlement to punitive damages
- Obtained injunctive relief on behalf of several medical providers against a large managed care company
- Successful prosecution of many matters brought pursuant to the New Jersey Domestic Violence Prevention Act.
- Successful prosecution of a claim against a large insurance carrier for monies owed to an ambulatory surgical center. The decision ultimately was reached after a successful appeal in which the trial court was reversed and judgment was entered in favor of the center
- Successful appellate challenge to an insurance carrier's attempts at obtaining information from medical providers. Resulted in a multi-million-dollar settlement of claims asserted by several medical providers against a large insurance carrier

Notable Appellate Matters:

- *Grosso v. Dias*, 2019 WL 4927092 (App.Div. 2019)
- *R.R. v. J.M.*, 2018 WL 2998751 (App.Div. 2018)
- *King v. Hoboken Rent Leveling and Stabilization Board*, 2016 WL 6502631 (App.Div. 2016)
- *DeNardo v. City of Hoboken*, 2015 WL 9947693 (App.Div. 2016)
- *Timber Glen Phase III, LLC v. Twp. of Hamilton*, 441 N.J. Super. 514 (App.Div. 2015)
- *Tumpson v. Farina*, 431 N.J.Super. 164, aff'd in part rev'd in part, 218 N.J. 450 (2014)
- *Green v. Morgan Properties*, 215 NJ 431 (2013)
- In re Contest of November 6, 2012 Election Results for City of Hoboken, Public Question No. 2, 2013 WL 4821095 (2013)
- *Burns v. Hoboken Rent Leveling and Stabilization Board*, 439 N.J.Super. 435 (App.Div. 2013)
- *Mayer v. Mayer*, 2013 WL 275961 (App.Div. 2013)
- *Selective Ins. Co. of America v. Hudson East Pain Management Osteopathic Medicine and Physical Therapy,* 416 N.J.Super. 215 (App.Div.); aff'd 210 N.J. 597 (2012)

- *Gina Marie v. City of Hoboken*, 2011 WL 4771935 (App.Div. 2011); Ryan v. Gina Maria, LLC,420 N.J.Super. 215 (App.Div. 2011)
- *Bloomfield 206 Corp. v. City of Hoboken*, 2011 WL 9820 (App.Div. 2010);
- *Endo Surgi Center, P.C. v. Liberty Mut. Ins. Co*., 2010 WL 4067156 (App.Div. 2010)
- *Liberty Mut. Ins. Co., P.C. v. Garden State Surgical Center, L.L.C.,*413 N.J.Super. 513 (App.Div. 2010)
- *Allstate Ins. Co. v. Saddlebrook Surgicenter*, 2008 WL 508350 (App.Div. 2008)
- *Hodges v. Sasil Corporation*, 189 N.J. 210 (2007)
- *Salem Management Co. v. Twp. of Lopatcong*, 387 N.J.Super. 573 (App.Div. 2006), cert. denied 188 N.J. 579 (2006)
- *Endo SurgiCenter P.C. v. Liberty Mutual Ins. Co.,* 391 N.J.Super. 588 (App.Div. 2007)
- *Moran v. QualCare, Inc*., 2007 WL 470646 (App.Div. 2007)

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AWARDS

The Best Lawyers® in America, Family Law list*

2021-2023

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
Click here for the Awards and Honors Methodology.

PROFESSIONAL ACTIVITIES

- Co-Chair, Essex County Bar Association Family Law Executive Committee – 2015-2020
- Early Settlement Panelist – Essex and Union Counties – 2015-present
- Member, Barry Croland Family Law Inn of Court, Member – 2015-present
- Member, New Jersey State Bar Association – 2001-present
- Member, New York State Bar Association
- *Pro Bono* Counsel to Domestic Violence Victims, Partners for Women and Justice – 2005-present
- YMCA Swimming – Level II Official – 2015-present
- Board Member – Westfield Lacrosse Club – 2019-present
- Lacrosse Coach – Westfield Lacrosse Club/USA Lacrosse Certified – 2016-present
- Soccer Coach – Westfield Soccer Association/US Soccer Certified – 2016-2019; 2022-present
- Basketball Coach – Westfield Basketball Association – 2019-2021

Insights

B|E in the News - *August 30, 2023*
Landlord group sues to stop Jersey City's new tenant right-to-counsel program

Awards - *August 17, 2023*
Forty Total Brach Eichler Attorneys Recognized by Best Lawyers in America© 2024

Articles - *March 2, 2023*
"No Good Time To File For Divorce… But"

Newsletters - *February 16, 2023*
Litigation Quarterly Advisor – Family Law Advisor Edition – Winter 2023

Articles - *November 8, 2022*
Tracing And Valuing Digital Assets In A Divorce

Newsletters - *October 13, 2022*
Litigation Quarterly Advisor – Fall 2022

Firm Announcements & Wins - *April 1, 2022*
Brach Eichler LLC Promotes Ten Attorneys
Firm welcomes eight lawyers to membership and two to counsel!

Newsletters - *October 26, 2021*
Brach Eichler's Litigation Quarterly Advisor – Fall 2021

Firm Announcements & Wins - *August 19, 2021*
Seventeen Brach Eichler Attorneys Included in The Best Lawyers in America© 2022
Six Brach Eichler Attorneys Included in "Ones to Watch" – Two New to the List!

Newsletters - *July 29, 2021*
Brach Eichler's Quarterly Advisor – Summer 2021