

NACE NAUMOSKI

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BAR ADMISSIONS

- New Jersey

COURT ADMISSIONS

- U.S.D.C., D. New Jersey
- U.S.C.A., Sixth Circuit

EDUCATION

Fordham University School of Law (J.D.)
Seton Hall University, (B.A., *magna cum laude*)

PROFILE

Nace concentrates his practice on insurance coverage, cyber security and data privacy, and complex civil and criminal litigation. Nace has represented clients in a wide variety of high-stakes matters in the areas of insurance coverage, product liability, class actions, commercial disputes, election law, defamation, healthcare fraud, mortgage fraud, construction defects, entertainment law, and cyber law. Nace also has significant experience dealing with government and internal investigations.

Nace has represented clients in high-profile civil and criminal matters that have received local, national, and international media coverage from publications such as Forbes Magazine, the Washington Post, Us Weekly, International Business Times, the Jersey Journal, and Wired magazine. Nace has also represented several Fortune 500 companies in product liability and premises liability matters.

Before joining Stewart Smith, Nace practiced with a boutique firm in Roseland, New Jersey representing clients in the areas of civil litigation, white collar criminal defense and government investigations. Nace was also previously an associate with McCarter & English, LLP, where he effectively represented clients in the areas of product liability, premises liability, personal injury defense, insurance coverage, and commercial litigation.

PRIMARY PRACTICE AREAS

- Complex Litigation
- Construction Defect Coverage
- Contribution & Equitable Subrogation
- Extra Contractual / Bad Faith
- Medical Malpractice
- Professional Liability / Errors & Omissions
- Tech, Data Coverage & Breach Response
- Third Party Coverage

AREAS OF FOCUS

- Additional Insured Coverage
- Commercial Auto & Motor Carrier Coverage
- CGL Insurance Coverage
- Cyber Insurance Coverage
- Property Coverage
- Rescission & Fraud
- Tech Coverage

REPRESENTATIVE MATTERS

Jachimowicz v. Argonaut Ins. Co. (Southern District of New York, 2020): Obtained defense jury verdict after week-long trial on behalf of client in Brooklyn federal court in a first party property damage case.

U.S. Framing, Inc. v. Colony Ins. Co. (New Jersey Law Division, 2020): Obtained dismissal of coverage claims against client for underlying bodily injury claim based on exclusion in policy for injury to the employee of an insured.

Colony Ins. Co. v. Troensa Construction, Inc. (District of New Jersey, 2018): Obtained summary judgment on behalf of insurer that it was not required to defend and indemnify a subcontractor in an underlying claim alleging construction defects at a new residential condominium development based on an endorsement in the policy limiting coverage to remodeling.

Adeniji v. Colony Ins. Co. (New Jersey Law Division, 2018): Obtained dismissal of coverage claims against client based on New Jersey law that alleged claimants do not have a direct right of action against an alleged tortfeasor's insurance carrier prior to obtaining a judgement and the judgment being returned unexecuted.

Mandelbaum v. Arseneault, (New Jersey Appellate Division 2017): New Jersey Appellate Division upheld trial court's dismissal of abuse of process claim against client.

Arnold Transportation Services, Inc. v. Framaur Associates, LLC, (District of New Jersey, 2015): Obtained dismissal of unjust enrichment claim against client where Plaintiff alleged that client had breached an express contract.

United States v. Auernheimer, 2012 WL 5389142 (Third Circuit Court of Appeals, 2014): Argued in the trial court that New Jersey was not the proper venue for client's criminal trial alleging violations of the Computer Fraud and Abuse Act because no fact alleged in the superseding indictment against him, if ultimately proven, took place in New Jersey. Client's conviction was ultimately reversed by the Third Circuit Court of Appeals because New Jersey was not a proper venue.

Del Vecchio v. Randall, et al., (New Jersey Law Division, 2011): Obtained temporary restraining order on behalf of client, a Republican candidate for state office, blocking county clerk from mailing out ballots until issue of ballot positioning was resolved.

NEWS, HONORS, & MORE ...

HONORS

- Member of the Open Space Review Board in West Brandywine Township, PA (2020)
- New Jersey Super Lawyers Rising Stars: 2010, 2014-2021
- Avvo rated 10/10.
- Barrister, Brennan-Vanderbilt Inns of Court, (2006 – 2009)

PUBLICATIONS & SPEAKING ENGAGEMENTS

“The Future Is Now: The Internet of Things,” *Litigation Management Magazine*, Fall 2015

The Changing Landscape of Cyber Liability Litigation: Data Misuse, Ransomware, Class Actions Following *Spokeo*, and More, ACI 15th Advanced Forum on Cyber & Data Risk Insurance, Chicago, IL, March 31, 2017.

Ransomware Litigation: Data Breach Notification Issues, Key Jurisdictional Differences, and Cyber Coverage Issues, ACI 2nd National Forum on Data Breach & Privacy Litigation and Enforcement, New York, NY, September 29, 2016.

Cyber and Data Risk Insurance: Practical Guidance on Ways of Evaluating It and Reasons for Buying It, ACI 19th Advanced Global Legal and Compliance Forum on Cyber Security & Data Privacy and Protection, Chicago, IL, June 23, 2016.

Fairy Tales or Non-Fiction: Expert Witness Testimony, CLM 2016 Annual Conference, Orlando, FL, April 7, 2016.

Class Actions: Data Privacy & Security Breach Case Law Trends, ACI Data Breach & Privacy Litigation and Enforcement, Philadelphia, PA, March 17, 2016.

Emerging Issues in Food Industry Liabilities & Insurance Coverage, New Jersey Institute of Continuing Legal Education, New Brunswick, NJ, February 18, 2016.

The Internet of Things: Security, Privacy, and the Related Technology to Collect Data, ACI 17th Advanced Global Legal and Compliance Forum on Cyber Security & Data Privacy and Protection, Houston, TX, October 6, 2015.

It Isn't Really Stealing, Is It?, Criminal Law and Intellectual Property Symposium, Rutgers Business Law Review, Newark, NJ, April 9, 2013.

CHARITABLE & CIVIC INVOLVEMENT AND PERSONAL INTERESTS

Nace's interests outside of the firm include hockey, backpacking, and filmmaking. Nace has produced three feature films starring multiple Emmy and Academy Award winners and nominees.