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PRACTICE AREAS

Labor & Employment
Commercial Litigation
Class Action Litigation
Appellate Practice
Transportation
Personal Injury Defense
Workers' Compensation

BAR AND COURT ADMISSIONS

Admissions

U.S. District Court for the District of
New Jersey
Third Circuit Court of Appeals
U.S. District Court for the Eastern,
Southern and Northern Districts of
New York
Second Circuit Court of Appeals

Licenses

New Jersey
New York

EDUCATION

Juris Doctorate, Western New England
College School of Law, 1996
Bachelor of Arts – English, The University
of Delaware, 1993

Mr. Perla has extensive experience litigating and defending companies and public entities, and their officials in all areas of labor and employment law. Over the course of his career, Mr. Perla has become renowned for his keen ability to tackle his clients' most challenging issues and bring them to a successful outcome.

Mr. Perla handles an array of cases involving employment claims such as discrimination, harassment, whistleblower, retaliation, disability, workplace privacy, wage and hour, restrictive covenants, and workers' compensation. He also represents companies in commercial disputes and has earned a reputation for mounting an aggressive defense from the inception of cases to stave off frivolous litigation and significantly limit business liability and costs. Mr. Perla is adept at deciphering the most complex business issues and counseling his clients to ensure that they are always in the best defensible position. He has earned the reputation of a sharp strategist as a seasoned litigator. Mr. Perla is frequently called upon to handle labor negotiations and governmental audits, draft and review contracts and policies, as well as conduct workplace and insurance pre-suit investigations, employee training sessions, and legal seminars. His services are sought out by the most sophisticated companies to handle their high-stakes litigation where he is charged with the responsibility of protecting their business models and vigorously defending allegations of misclassification. He also has an impeccable reputation in the transportation industry and public sector.

Mr. Perla's practice extends nationwide; he has defended clients at the state and federal levels in New Jersey and New York, as well as California, Delaware, Florida, Illinois, Massachusetts, Michigan, and Washington, D.C., among other jurisdictions. He also has extensive class and collective actions and appellate experience. By implementing proactive measures and maintaining open lines of communication, Mr. Perla brings a particular strength in minimizing business risks and costs associated with litigation.

Mr. Perla earned his B.A. from the University of Delaware and his J.D. from Western New England College School of Law. Mr. Perla is admitted to practice law in New Jersey and New York.

REPRESENTATIVE MATTERS

- ▶ Successfully obtained summary judgment on behalf of employer after employee filed suit alleging claims for discrimination, constructive discharge, breach of contract, false imprisonment, assault, defamation, and intentional infliction of emotional distress. *McKenzie v. Babyland Family Services, Inc.*

- ▶ Successfully achieved summary judgment on behalf of employer after employee filed suit alleging claims for sexual harassment under the New Jersey Law Against Discrimination, breach of contract, negligent infliction of emotional distress, and negligent hiring, training and supervision. *Kennedy v. Hackensack University Medical Center, et al.*
- ▶ Obtained temporary injunction and ultimately prevailed where a prospective purchaser of our client's business improperly seized confidential and proprietary information during the due diligence phase of the sale. *Homecare 24-7 v. Farkas Associates, et al.*
- ▶ Successfully attained summary judgment on behalf of employer after employee filed suit claiming he was retaliated against in violation of the Conscientious Employee Protection Act. The court's decision was affirmed by the New Jersey Appellate Division. *Bell v. City of Atlantic City, et al.*
- ▶ Summary dismissal granted and affirmed on appeal disposing of employees' whistleblower claims against Mayor and public entity. *Polillo, et al. v. City of Atlantic City, et al.*
- ▶ Summary dismissal granted and affirmed on appeal disposing of employee's claims for defamation, intentional and negligent infliction of emotional distress, and tortious interference with lawful union activity. *McCausland v. City of Atlantic City, et al.*
- ▶ Motion to dismiss and compel arbitration granted in class action lawsuit alleging wage and hour claims and misclassification. *Greene, et al. v. SCI, LLC, et al.*
- ▶ Motion to dismiss and compel arbitration granted in lawsuit alleging a host of claims involving, inter alia, misclassification, discrimination, breach of contract, etc. *McNeal v. US Pack, et al.*
- ▶ Motion to dismiss and compel arbitration granted in lawsuit alleging wage and hour claims and misclassification. *Espinosa v. US Pack, et al.*
- ▶ Successfully attained summary judgment in the U.S. District Court for the Northern District of California dismissing multiple claims of discrimination. *Sahinovic, et al. v. CD&L*
- ▶ Employee claimed to have been subjected to race discrimination and retaliation in violation of the Conscientious Employee Protection Act. Obtained a partial summary judgment, and then a partial directed verdict. Thereafter, a unanimous trial verdict was rendered on behalf of all remaining defendants following a two week trial in U.S. District Court, District of New Jersey, Camden. *Parker v. Atlantic City Board of Education, et al.*
- ▶ Successfully achieved summary judgment on behalf of employer after employee filed suit claiming he was subjected to discrimination and retaliation based on a perceived and/or actual disability and had been illegally denied an accommodation. Plaintiff's Counsel had success against employer in prior litigation; his tactics were studied and used against him to obtain summary judgment in the pending matter. *Callaghan v. City of Passaic*



- ▶ Successfully achieved summary judgment on behalf of employer, which was subsequently affirmed on appeal, after employee filed suit alleging claims of discrimination, constructive discharge, and demanding \$1.2 million in damages. U.S. District Court's decision published at *Kirschling v. Atlantic City Board of Education*, 10 F.Supp.3d 587 (D.N.J. 2014)
- ▶ Successfully attained summary judgment on behalf of employer, which was subsequently affirmed on appeal, after employee filed suit alleging five different forms of discrimination; violation of the Conscientious Employee Protection Act; termination in violation of public policy; hostile work environment; suppression of civil rights; violation of her procedural and substantive due process rights; violation of free speech; and denial of equal protection. *Bermek v. City of Passaic, et al.*
- ▶ Summary dismissal granted disposing of former employee's political retaliation claims against State Assemblyman. *Diaz v. City of Passaic, et al.*
- ▶ Summary dismissal granted disposing of employees' political retaliation claims against Board of Education, Board Members, and Mayor. *Maldonado, et al. v. Passaic Board of Education, et al.*
- ▶ Successfully achieved summary judgment on behalf of employer after employee filed suit alleging violation of the Conscientious Employee Protection Act. *O'Donnell v. City of Passaic, et al.*
- ▶ Received a successful verdict on appeal where the Appellate Division agreed that the trial court did not have jurisdiction to hear the dispute in question and had improperly granted injunctive relief in a matter involving an employee's dissatisfaction with his transfer following a reduction-in-force. *Jackus v. Elizabeth Board of Education, et al.*
- ▶ Obtained a favorable verdict before the D.C. Circuit on behalf of the employer overturning decisions rendered by the ALJ and NLRB. The D.C. Circuit concluded that the employer was justified in declaring impasse after months of labor negotiations where the union maintained a fixed bargaining position. *Laurel Bay v. The National Labor Relations Board*
- ▶ Attained injunctive relief and ultimately a favorable decision in a complex commercial dispute following the New York State Insurance Fund's improper assessment of exorbitant insurance premiums for independent contractors providing services to multiple courier companies. The decision rendered by the New York Supreme Court had a significant and positive impact on how courier companies conduct their operations. *SCI v. New York State Insurance Fund*
- ▶ Successfully achieved summary judgment on behalf of corporate client on the eve of trial saving client substantial litigation costs. The moving papers were so compelling that plaintiff chose to appeal the dismissal as to every defendant except my client. *Tilton, et. al. v. SCI, LLC*



- ▶ Successfully persuaded all parties to voluntarily dismiss client with prejudice from a complex independent contractor matter after obtaining valuable deposition testimony and filing summary judgment papers. *Schmutz v. SCI, LLC*

RECOGNITION & INVOLVEMENT

Mr. Perla proudly served as Chair to the American Diabetes Association's Princeton Tour de Cure and a Member of their Community Leadership Board; he was the top individual fundraiser eight years in a row (2012-2019). Mr. Perla also served as Deputy to the Chair of the International Law Section of the American Bar Association. Mr. Perla is an active firefighter with the Princeton Junction Volunteer Fire Company, Engine Co. 44.

