

Michael J. Fitzpatrick

Partner

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Overview

Michael Fitzpatrick practices in the areas of commercial litigation, products liability defense, cannabis litigation, and creditors' rights litigation. He regularly defends clients 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. He provides counsel on and litigates shareholder and consumer class actions. Michael has experience defending clients against putative class actions in complex commercial litigation matters in the state and federal courts of New York and New Jersey.

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.

He is also the co-chair of the Business and Commercial Litigation Committee of the New Jersey State Bar Association.

Firm Leadership:

- Chair, Hiring Committee

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

Employment Litigation

Energy Litigation

Fiduciary and Probate Litigation

Litigation

Mass Tort Litigation

Product Liability & Torts Litigation

Restrictive Covenants & Trade Secrets

Shareholder and Securities 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®, Creditor Debtor Rights, 2022-2027

Insights

Regulating Cannabis Products
October 1, 2025

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

New Jersey Legal Awards Honor Day Pitney's Practices and Rising Leadership
Day Pitney Press Release, October 30, 2026

Day Pitney Earns Recognition Across Four Categories in 2026 New Jersey Legal Awards
September 2, 2026

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

2026 New Jersey Legal Awards New Leaders of the Bar
New Jersey Law Journal, October 27, 2026

NJICLE "2025 Business Litigation: The Year in Review" Program
December 4, 2025

"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