C. John DeSimone III

Partner

Parsippany, NJ | (973) 966-8299

cjdesimone@daypitney.com

Overview

John DeSimone primarily represents clients in both real estate and business litigation matters. His real estate litigation practice includes commercial lease litigation, commercial foreclosures, commercial real estate contract disputes, title disputes, construction litigation, environmental disputes and prerogative writ matters and zoning appeals. John also has served as a land use and zoning attorney and he is outside general counsel for several community associations.

In addition, John counsels clients on business disputes, such as restrictive covenant and trade secret misappropriation suits, employment disputes, director and officer liability matters, and shareholder and partnership litigation. His practice also includes professional claims defense, lender litigation, general commercial litigation matters and business counseling.

John handles appeals in both the state and federal court systems. Additionally, he was an approved mediator under the Superior Court of New Jersey civil mediation program from 2005 through 2013.

Firm Leadership

- Vice Chair, Commercial Litigation Business Unit
- Leader, Real Estate Litigation Practice

Practices & Industries

Commercial Real Estate

Litigation

Real Estate Litigation

Education and Credentials

Education

Boston College Law School, J.D., 1997

University of Pennsylvania, B.A., *cum laude*, 1994

Admissions

State of New Jersey

State of New York

U.S. District Court, District of New Jersey

U.S. Court of Appeals for the Third Circuit

Affiliations

New Jersey State Bar Association

Hudson County Bar Association

Morris County Bar Association, Chancery Practice Committee, 2009-2015

New Jersey Bankers Association, Bank Security Committee, 2006-Present; CFO Committee, 2012-Present

Society of Industrial and Office Realtors, 2010-Present

Community Associations Institute, Education Committee, 2010

New Jersey Land Title Association, 2008 - 2015

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

Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Commercial Litigation, 2019-2027

Selected to the list of New Jersey *Super Lawyers*®, Business Litigation, 2013-2020, 2024

Selected to the list of New Jersey *Super Lawyers*® Rising Stars, Business Litigation, 2006-2007, 2011

AV Preeminent rated by Martindale-Hubbell (LexisNexis)

Community Involvement

The Sound Start Babies Foundation, Trustee and Vice President, 2013-2021

Insights

New Jersey Supreme Court Offers Guidance for Evaluating Emotional Support Animal Requests
March 25, 2024

New Jersey Appellate Division Reviews Regulations Regarding Election Procedures and Practices in Community Associations
March 7, 2024

Failure to Timely Join Applicants Shuts Objectors Out of Court
January 3, 2024

Reaffirming Deference Owed to Municipal Planning Boards, Appellate Division Rejects Challenge to Liquor Store Approval
July 6, 2023

Another Win for Dogs: Court Allows Emotional Support Dog Violating Association Pet Policy
March 29, 2023

New Jersey Appellate Court Denies Tolling by Tax Court Under Frivolous Litigation Statute
June 7, 2022

Appellate Division Says Denial of a Land Use Application Must Rest on Competent Evidence in the Record Rather Than on Unproven Concerns of Residents and Board Members
March 14, 2022

New Jersey Executive Order No. 128, Allowing Security Deposit To Be Used for Residential Rent During COVID-19
April 26, 2020

Tax Appeals, Residential Evictions, Postponed Due to COVID-19
March 25, 2020

Day Pitney Hosts End-of-Year Ethics and Other Hot Topics for In-House Counsel CLE Seminar
November 13, 2019

The Third Circuit Holds that Scheduled Segregation Violates the Fair Housing Act
April 30, 2019

Nonprofit Permitted to Bring LAD Claim Against Objectors to Land Purchase
December 18, 2018

Appellate Division Upholds Municipal Ordinances Imposing Regulatory and Inspection Fees on Landlords
September 6, 2018

Appellate Division Clarifies State University's Qualified Immunity From Local Land Use Regulation
August 28, 2017

New Jersey Expands the Rights of Common Interest Community Residents
July 21, 2017

News

87 Day Pitney Lawyers Named to 2016 Super Lawyers List
November 10, 2016

91 Day Pitney Lawyers Named to 2015 Super Lawyers List
October 30, 2015

In The Media

Day Pitney Highlighted in List of Commercial Real Estate Law Firms in New Jersey
Real Estate NJ, March 25, 2025

New Jersey Association of Corporate Counsel's 14th Annual All-Day CLE Conference
September 16, 2016

Employment Agreements and Negotiation Strategies
January 17, 2017

Resolving Real Estate Title Defects
April 4, 2016

Employment Agreements Summarized
March 26, 2014

Making the Right Moves When Signing Employment Agreements: A Primer
April 3, 2013

Negotiation and Restrictive Covenants
April 2, 2014

Making the Right Moves with Commissions: A Primer for the Successful Preservation of a Commission Claim
September 17, 2015

Commercial Bank Branch Leasing 101
October 3, 2012

Business Divorce - The Issues, The Drama, The Tax
Hamilton, NJ, November 18, 2014; Iselin, NJ, November 17, 2014 and Randolph, NJ, August 6, 2014

Business Valuation Roundtable: The Business Divorce
April 21, 2015

Commercial Tenancies, Complexity, and the Limits of the Summary Eviction Process
Society of Industrial and Office Realtors, New Jersey Chapter, August 1, 2015

Getting a Divorce from your Business Partner
OnSite, the Metropolitan Builders & Contractors Association of NJ Newsletter, May 1, 2014

Pharma Compliance 101
CFO Studio Magazine, 2nd quarter 2014

Confirm You Are Covered: The Importance of Directors and Officers Liability Insurance in Today's Litigious Environment
CFO Studio Magazine, 4th quarter 2013

The Business Divorce: A primer on minority shareholder oppression rights
CFO Studio Magazine, 2nd quarter 2013

Before You Sign - Executive Employment Agreements: A primer
CFO Studio Magazine, 1st quarter 2013

Be Careful What You E-Mail; E-Mail As A Binding Contract In A Technological Age
Association of Corporate Counsel Focus on New Jersey Chapter Newsletter, 12-Feb

NJ-SIOR offers E-mail Caution
Newsletter of Society of Industrial and Office Realtors (SIOR) New Jersey Chapter, October 1, 2011