

# Tricia B. O'Reilly

**PARTNER**

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**WALSH PIZZI O'REILLY LLP**
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## Practice Areas:

- Business & Commercial Litigation
- Class Action Defense
- Internal Investigations
- Intellectual Property & Trade Secret Litigation
- Labor & Employment Law

## States Admitted to Practice:

- New Jersey
- New York

## Courts Admitted to Practice:

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

## Education:

- St. John's University School of Law (1992)
- University of Notre Dame (1986)

## Education:

- American Bar Association
- New Jersey State Bar Association
- Essex County Bar Association
- The Association of the Federal Bar of New Jersey

Tricia B. O'Reilly is an accomplished litigator and trial attorney with more than twenty years of experience in the fields of commercial litigation, employment law, and internal investigations. As a commercial litigator, Tricia has assisted clients across a broad range of industries in matters involving commercial contract disputes, shareholder oppression, unfair competition, fraudulent business practices claims, intellectual property, and antitrust litigation, and in defending complex, putative class actions. She has represented clients in state and federal courts.

In her employment practice, Tricia specializes in the representation of management in employment disputes and has conducted dozens of internal investigations for major corporations, educational institutions, and privately held businesses. She has litigated cases in federal and state courts involving claims for wrongful discharge, breach of employment contracts, restrictive covenants and trade secrets, alleged discrimination and retaliation under state and federal anti-discrimination, and whistleblower statutes. Tricia has tried numerous cases to jury verdict.

Tricia also has a depth of experience in representing institutions of higher education across a broad range of issues, including investigating Title IX complaints and defending against Title IX claims.

Before entering practice as an attorney, Tricia served as a law clerk to the Honorable Nicholas H. Politan, former United States District Court Judge for the District of New Jersey. She has been named one of New Jersey's Women Leaders in the Law, Labor and Employment and to the 2015 "Best Lawyers in America," Commercial Litigation. (This award, published by Best Lawyers in partnership with US News & World Report, is not approved by the Supreme Court of New Jersey. Selection methodology is **available**.) She is a Fellow of the American Bar Foundation, a Trustee of the Association of the Federal Bar New Jersey, and a Trustee of the Volunteer Lawyers for Justice.

## Honors and Awards

- Chambers USA (2026-Present)
- *Best Lawyers*® (2016-Present)
- New Jersey's Women Leaders in Law, Labor & Employment (2013)
- Trustee of the Association of the Federal Bar New Jersey
- Trustee of the Volunteer Lawyers for Justice
- Fellow of the American Bar Foundation

## Representative Experience

- Representation of science-based products and services corporation as New Jersey counsel in patent and anti-trust litigation
- Representation of corporation and board of directors in minority oppression, breach of fiduciary duty, fraud, and Lanham Act action brought by shareholder; obtained summary judgment on multiple claims
- Representation of former officer and director in fraud and breach of fiduciary duty lawsuit involving a comprehensive capital campaign
- Representation of former officers in construction defect and consumer fraud action; obtained dismissal of multiple claims on motion to dismiss
- Representation of real estate developer in contract and fraud action arising out of a major construction project; obtained summary judgment on all fraud claims
- Representation of corporation and shareholder in contract action arising out of stock option plan and employment agreements

*Employment Law*

- Obtained a verdict of no cause on claims that the firm's client breached an employment contract and an implied promise of employment to the plaintiff employee
- Obtained a verdict of no cause on claims that the firm's client discriminated against an employee based upon an alleged handicap; in that same litigation obtained a verdict of no cause on tort claims asserted against individual defendants
- Obtained a verdict of no cause on claims that the firm's client discriminated against six employees on the basis of their national origin and religion; in that same litigation, obtained a verdict against one of the plaintiffs on the employer's counterclaim for conversion, breach of duty of loyalty, and invasion of privacy
- Obtained a verdict of no cause on claims that the firm's client discriminated against a female employee on the basis of gender in the non-renewal of her term employment contract.
- Obtained summary judgment on claims that the firm's client discriminated against the plaintiff on the basis of his national origin and religion
- Obtained summary judgment on claims that the firm's client discriminated against a female employee on the basis of pay and failure to promote her
- Obtained a temporary restraining order and preliminary injunction for the firm's client, a developer of proprietary computer software technology, on claims that a former employee breached his restrictive covenant
- Obtained a temporary restraining order and preliminary injunction for an international construction company on claims that a competitor was pirating its employees and that such former employees were in breach of their confidentiality agreements

- Obtained a temporary restraining order on behalf of the firm's client, a provider of software for the maintenance of electronic medical records, against a former employee who accepted employment with a competitor
- Conducted numerous internal investigations for clients of the firm on a wide variety of issues, including allegations by a third party of wrongdoing by senior management; sexual harassment and retaliation claims brought by current employees; whistleblower issues brought by former employees; and allegations of mismanagement and violation of company policy by a management team administering an internal program for the employer

## Decisions

- *Eisai, Inc. v. Sanofi Aventis U.S., LLC; Sanofi U.S. Services, Inc. f/k/a Sanofi-Aventis U.S. Inc.,* __ F.3d __ (3rd Cir., 2016)
- *Hawk v. New Jersey Institute of Technology,* 428 N.J. Super. 562 (App. Div. 2012), cert denied 214 N.J. 175 (N.J. 2013)
- *Ass'n of N.J. Chiropractors v. Aetna, Inc.,* 2011 U.S. Dist. LEXIS 115851 (D.N.J., Oct. 7, 2011)
- *Fritzky v. Aetna Health, Inc.,* 2010 WL 1186226, D.N.J., March 24, 2010 (Civil Action No. 08-5673 (WJM)
- *Thomasian v. New Jersey Institute of Technology,* 2009 WL 260791, D.N.J., February 03, 2009 (Civ. Case No. 08-2218
- *DeVito v. Aetna, Inc.,* F.Supp.2d --, 2008 WL 482847, D.N.J., February 25, 2008 (Civil Action No. 07-0418)
- *Raab v. Borough of Avalon,* 392 N.J. Super. 499 (April 30, 2007)
- *Aventis Pharmaceuticals, Inc. v. Barr Laboratories, Inc.,* 411 F.Supp.2d 490 (D.N.J. 2006)
- *In re Aventis Pharmaceuticals, Inc.,* 372 F.Supp.2d 430 (D.N.J. 2005)
- *Tzannetakis v. Seton Hall University,* 344 F.Supp.2d 438 (D.N.J. 2004)
- *Kvaerner Process, Inc. v. Barham-McBride Joint Venture,* 368 N.J. Super. 190 (App. Div. 2004)