

Commercial Litigation

New Jersey Commercial Litigation Lawyers

As the operation of your business is your primary focus, at Einhorn Barbarito we will always explore all opportunities to resolve your business dispute amicably and through negotiation without the need for time consuming, expensive and distracting formal litigation. The Einhorn Barbarito Commercial Litigation attorneys have extensive experience in the trial courts of the State of New Jersey and can also guide you through the process of mediation and arbitration as well.

When business relationships become fractured, disputes that cannot be resolved through discussion or negotiation can often result in the filing of a lawsuit. The term “commercial litigation” generally applies to any type of litigation or lawsuit related to business issues. The issues can include: Shareholder or Member disputes, including dissolution, breach of contract issues, disputes between Employers and Employees, disputes with customers, vendors and suppliers, Consumer Fraud Act litigation, Collection Litigation and matters involving construction contracts, defect claims and Construction litigation (which may include the New Jersey Construction Lien Law).

If you are a business owner — whether it be a corporation, partnership, sole proprietorship or limited liability company (LLC) — and your dispute necessitates the filing of or defending a lawsuit or demand for arbitration, call the attorneys at Einhorn Barbarito at [973-627-7300](tel:973-627-7300). We handle business issues and litigation throughout New Jersey.

Breach of Contract Litigation

The most frequent type of commercial litigation involves contracts and alleged breaches by one party or another. In this area, litigation is often necessary because the terms at issue in a contract are often unclear and open to more than one interpretation. Therefore, when the Einhorn Barbarito business attorneys are tasked with preparing contracts, they are meticulous in their attention to detail. However,

whether a contract is prepared by Einhorn Barbarito or others, contract disputes can end up in formal litigation. The Einhorn Barbarito attorneys will always attempt to resolve the case through negotiation first. However, if settlement becomes unattainable, our trial attorneys will not hesitate to protect the rights of our clients and zealously represent them at trial.

Collection

In a competitive business environment, disputes can arise in which one party claims they are owed money for goods or services. Often, the other party claims the goods were deficient or defective or the services were not what was expected or bargained for. The litigation attorneys at Einhorn Barbarito will evaluate the strengths and weaknesses of your case and represent you or your business, whether you are a plaintiff or a defendant in a collection matter. The Einhorn Barbarito attorneys are familiar with the Fair Debt Collection Act and know the legal rights of the parties on both sides of the transaction.

Corporate/Partnership Disputes and Dissolution

Despite the best of intentions, sometimes business organizations and the people that own and control them simply do not get along professionally. Whether a corporation, LLC or partnership, disputes arise which could lead to the dissolution of the business. If such circumstances arise, negotiating an amicable “business divorce” is our first priority. However, if a dispute leading to possible dissolution cannot be resolved fairly, the commercial litigation attorneys at Einhorn Barbarito are experienced and knowledgeable in bringing a formal lawsuit to resolve these disputes while protecting our clients’ interests.

Commercial Litigation

Commercial Litigation Practice Group

With deep familiarity in New Jersey state and federal courts, as well as the regional business environment, our Commercial Litigation Practice Group combines local insight with sophisticated litigation strategies. The team provides:

- Clear, business-oriented guidance
- Disciplined case management and efficient resolution strategies
- Strong courtroom advocacy when litigation becomes necessary
- Practical solutions aligned with business realities and long-term objectives

We represent closely held businesses and emerging companies; regional, national, and multinational corporations; financial institutions, insurers, developers, and manufacturers; healthcare organizations and professional services firms; as well as business owners, executives, and stakeholders in disputes arising from commercial relationships, transactions, and day-to-day business operations. Matters commonly include:

- Breach of contract disputes
- Shareholder, partnership, and governance conflicts, including business dissolution matters
- Business torts and fiduciary duty claims
- Real estate and construction disputes
- Employment litigation
- Disputes involving customers, vendors, suppliers, distributors, and other business partners
- Collections, accounts receivable matters, and payment disputes involving goods and services

These matters often involve significant financial exposure, operational impact, and reputational considerations across a broad cross-section of New Jersey's commercial landscape. Our attorneys also regularly advise clients on dispute avoidance, contract risk management, and pre-litigation positioning.

Many matters involve multi-party litigation, parallel proceedings, or issues requiring coordinated legal, operational, and reputational strategy.

Alternative Dispute Resolution and Early Resolution Strategy

While fully prepared for trial, the practice emphasizes practical resolution strategies whenever possible, including:

- Negotiation and early dispute resolution efforts designed to reduce cost and business disruption
- Arbitration and mediation
- Administrative and regulatory proceedings

Litigation is approached strategically, with careful evaluation of when negotiated solutions best serve business objectives and when aggressive advocacy is required.