

Matheu D. Nunn and Dennis Shlionsky Publish Article in New Jersey Law Journal on Impact of U.S. Supreme Court Broker Liability Decision on Personal Injury Cases

The United States Supreme Court's unanimous decision in *Montgomery v. Caribe Transport II* U.S. (2026) (No. 24-1238) was hailed as a win for injured plaintiffs nationwide as it significantly expands potential liability in New Jersey trucking accident litigation by allowing negligent-hiring claims against transportation brokers to proceed under state law.

Managing Partner [Matheu D. Nunn](#) and Personal Injury Partner [Dennis Shlionsky](#) analyzed the decision in their article "[No More Hiding Behind Federal Preemption: Montgomery and the Future of Broker Liability in New Jersey](#)," published by the New Jersey Law Journal. The authors explain the Court's decision that the Federal Aviation Administration Authorization Act ("FAAAA") does not preempt claims alleging that brokers negligently selected unsafe motor carriers for interstate shipments, opening the door for injured plaintiffs to pursue brokers directly in state court.

The case stemmed from a catastrophic trucking accident involving a carrier with documented FMCSA safety deficiencies. In reversing the lower courts, the Supreme Court ruled that negligent-hiring claims fall within the FAAAA's "safety exception" because broker selection decisions directly concern motor vehicle safety. The decision is expected to increase reliance on FMCSA safety ratings, crash histories, and carrier-vetting records in New Jersey trucking litigation, while also increasing exposure for brokers that lack documented safety-review procedures. Although the Court resolved the issue for interstate shipments, it left unanswered questions regarding intrastate broker regulation, an issue likely to shape future litigation in New Jersey and nationwide.

To read the full article, click [here](#). (Subscription may be required.)