



# Michael T. Hensley

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## Overview

Michael Hensley is a trial attorney with a practice focused on complex commercial, First Amendment, libel, labor and employment, restrictive covenant, and professional malpractice matters. He focuses on high-exposure individual matters, national class actions, and multidistrict litigation. He routinely litigates on behalf of clients in complicated cases around the country. Michael also leads and conducts internal investigations for corporations involving workplace conduct and serves as the outside general counsel for a number of midsize businesses.

The core of Michael's practice is trying cases before juries. Michael is recognized by his clients for his ability to present complex concepts to juries in an easily understood and relatable manner. He has a proven record of aggressively trying cases to verdict and is known for his creativity in creating leverage to yield favorable settlements. In addition to his reputation as a leading trial attorney, he has also argued before multiple state appellate divisions and the U.S. Courts of Appeals.

Michael is on the board of trustees and a member of the Association of the Federal Bar of New Jersey, and a member of the New York State Bar Association's Commercial and Federal Litigation Section.

## Experience

- Lead trial attorney obtaining defense jury verdict of multimillion-dollar exposure matter venued in Philadelphia, Pennsylvania.

- Trial attorney obtaining defense jury verdict in age discrimination and retaliation matter venued in Middlesex County, New Jersey.
- Lead trial attorney for an international diagnostics laboratory in professional malpractice, employment, restrictive covenant, and commercial matters across the country.
- Co-counsel for an international diagnostics laboratory in nationwide data breach class actions and multidistrict litigation.
- Lead trial attorney for international real estate brokerage in restrictive covenant, employment, and complex commercial matters in New York and New Jersey.
- Lead trial attorney for prominent website in a First Amendment issue of first impression in New York and New Jersey, winning dismissal of lawsuits seeking to compel disclosure of anonymous posters.
- Lead trial attorney for advocacy organization in high-profile First Amendment and libel lawsuit arising from the allegation of teacher's removal of second-grade student's Hijab.
- Lead trial attorney for an international sugar company in complex commercial and employment matters in New York, New Jersey, and Ohio, including trying, to a successful verdict, a commercial arbitration hearing involving claims for breach of contract and business torts.
- Lead trial attorney winning the dismissal of a \$300 million fraud case against a firm client venued in New York City involving the Las Vegas monorail.
- Outside general counsel to international packaging firm responsible for all legal issues domestically and overseas, including litigation, corporate, transactional, real estate, and employment issues.
- Lead trial attorney for pharmaceutical company in complex commercial litigation across the country.
- Lead trial attorney for international telecommunications company in complex commercial matters in New York and New Jersey.
- Lead trial attorney for product manufacturer, a public company, winning injunctive relief in preventing forced transfer of shares to shareholder.
- Lead trial attorney for an international energy company in environmental and commercial matters across the country, including Colorado, Florida, Louisiana, South Carolina, Oklahoma, South Dakota, Wyoming, Missouri, and New Jersey.
- Lead trial attorney for an international chemical company in environmental and commercial matters in New York and New Jersey.
- Lead trial attorney for an international packaging company in environmental and commercial matters in New York, New Jersey, and Pennsylvania.
- Lead trial attorney and regional counsel for a banking client in complex commercial litigation in New York, New Jersey, and Pennsylvania.
- Lead trial counsel for various law firms and attorneys in professional malpractice matters in New York.

- Obtained a complete reversal and remand on appeal to the Pennsylvania Superior Court in a restrictive covenant matter for a corporate client.

Michael's reported decisions include:

- *Sacchi v. Quest Diagnostics Inc.*, 2023 WL 2530896 (N.J. App. Div. Mar. 16, 2023) (HIPAA; Consumer Fraud)
- *BASF Corp. v. Curia Global, Inc.*, 2022 WL7501358 (N.D.N.Y. Oct. 13, 2022) (Environmental; CERCLA)
- *BASF Corporation v. Curia Global, Inc.* 2022 WL2869044 (N.D.N.Y. July 21, 2022) (Environmental; CERCLA)
- *Morgan v. Quest Diagnostics, Inc.*, 2021 WL 6062338 (D.N.J. Dec. 21, 2021) (Employment)
- *Emhart Industries, Inc. v. New England Container Co.*, 2021 WL2949661 (D.R.I. July 14, 2021) (Environmental)
- *Bowen v. Quest Diagnostics, Inc.*, 2021 WL 2583495 (S.D. Fla. June 2, 2021) (Employment)
- *Sacchi v. Quest Diagnostics Inc.*, 2021 WL 1108682 (D.N.J. Mar. 23, 2021) (HIPAA; Consumer Fraud)
- *Morgan v. Quest Diagnostics Inc.*, 2021 WL1040488 (D.N.J. Mar. 18, 2021) (Employment)
- *BASF Corp. v. Albany Molecular Research, Inc.*, 2021 WL 242286 (N.D.N.Y. Jan. 25, 2021) (Environmental; CERCLA)
- *BASF Corp. v. Albany Molecular Research, Inc.*, 2020 WL3271316 (N.D.N.Y. June 17, 2020) (Environmental; CERCLA)
- *Morgan v. Quest Diagnostics Inc.*, 2020 WL 2401315 (D.N.J. May 11, 2020) (Motion to Seal)
- *Metro Container Group v. AC&T Co.*, 450 F. Supp. 3d 583 (E.D.P.A. Mar. 30, 2020) (Environmental; CERCLA)
- *BASF Corp. v. Albany Molecular Research, Inc.*, 2020 WL 705367 (N.J. New York Feb. 12, 2020) (Environmental; CERCLA)
- *Wilson v. Quest Diagnostics Inc.*, 2019 WL 7560932 (D.N.J. Aug. 22, 2019) (Motion to Bifurcate)
- *Kurland & Associates, P.C. v. Glassdoor, Inc.*, 205 A.D. 3d 545 (1st Dept. 2022) (First Amendment; Anti-SLAPP; Libel)
- *Nickey v. Grigoryan*, 67 Misc. 3d 1236(A) (N.Y. Sup. Ct. 2020) (Professional Malpractice)
- *Wilson v. Quest Diagnostics Inc.*, 2019 U.S. Dist. LEXIS 149159 (D.N.J. Sept. 3, 2019) (TCPA Class Action)
- *Cornwall Warehousing, Inc. v. Lerner*, 171 A.D.3d 540 (1st 2019) (Professional Liability)
- *Emhart Indust. V. New Eng. Container, Co.*, 2019 U.S. Dist. LEXIS 61119 (D.R.I. Apr. 8, 2019) (Environmental)
- *Mejia v. Quest Diagnostics Inc.*, 2019 N.J. Super. Unpub. LEXIS 483 (App. Div. Mar. 4, 2019) (Professional Liability; Allocation of Fault; Expert Witnesses)

- *Deccola v. Am. Sugar Refining, Inc.*, 2019 U.S. Dist. LEXIS 30617 (N.D. Ohio Feb. 26, 2019) (Wage and Hour Labor Law)
- *Lewis v. Am. Sugar Refining, Inc.*, 2019 U.S. Dist. LEXIS 18058 (S.D.N.Y. Jan. 2, 2019) (Employment Discrimination and Retaliation)
- *Wilson v. Quest Diagnostics Inc.*, 2018 U.S. Dist. LEXIS 212023 (D.N.J. Dec. 17, 2018) (TCPA Class Action)
- *Lewis v. Am. Sugar Refining, Inc.*, 325 F. Supp. 3d 321 (S.D.N.Y. 2018) (Employment Discrimination and Retaliation)
- *Lewis v. Am. Sugar Refining, Inc.*, 2018 U.S. Dist. LEXIS 139223 (S.D.N.Y. Aug. 15, 2018) (Injunction; Employment Discrimination and Retaliation)
- *Gordon v. Dailey*, 2018 U.S. District LEXIS 50423 (D.N.J. Mar. 27, 2018) (Securities Fraud)
- *Lewis v. Am. Sugar Refining, Inc.*, 2017 U.S. Dist. LEXIS 108842 (S.D.N.Y. July 11, 2017) (Employment Discrimination and Retaliation)
- *Gordon v. Dailey*, 2017 U.S. Dist. LEXIS 47281 (D.N.J. Mar. 30, 2017) (Securities Fraud)
- *Cantine Riondo USA, Inc. v. Charles Massie LLC*, N.J. Super. Unpub. LEXIS 128 (Law Division Jan. 20, 2017) (Attorney Client Privilege; Conflicts)
- *Gordon v. Dailey*, 2016 U.S. Dist. 80205 (D.N.J. June 21, 2016) (Securities Fraud)
- *Wolverine Flagship Fund Trading Ltd. v. Am. Oriental Bioengineering, Inc.*, 444 N.J. Super. 530 (App. Div. 2016) (cert. denied) (Securities Fraud)
- *Ironridge Global IV, Ltd. v. ScripsAmerica, Inc.*, 2015 N.J. Super. LEXIS 2954 (Law Division Nov. 13, 2015) (Securities Fraud; Comity)
- *Ada Inv. Mgmt. v. Glassdoor, Inc.*, 2015 N.Y. Misc. LEXIS 1080 (N.Y. Sup. Ct. Jan. 19, 2015) (First Amendment; Pre-Suit Discovery)
- *Franklin v. Fin. Freedom Acquisition, LLC*, 2014 U.S. Dist. LEXIS 44308 (D.N.J. Apr. 1, 2014) (Banking Litigation)
- *Alliance Network, LLC v. Sidley Austin, LLP*, 987 N.Y.S.2d 794 (N.Y. Sup. Ct. 2014) (NY Judiciary Law § 587; Civil conspiracy; Personal Jurisdiction)
- *Mateen v. Am. President Lines*, 2013 U.S. Dist. LEXIS 107549 (D.N.J. July 31, 2013) (Employment Discrimination)
- *International Paper Co. v. Rexam, Inc.*, 2013 U.S. Dist. LEXIS 84615 (D.N.J. June 17, 2013) (Contract; Extrinsic Evidence; Environmental Litigation)
- *EPEC Polymers, Inc. v. NL Indus., Inc.*, 2013 U.S. Dist. LEXIS 74642 (D.N.J. May 28, 2013) (Environmental Litigation; CERCLA)
- *United States v. Struble*, 2012 U.S. App. LEXIS 15426 (3d Cir. July 26, 2012) (Enforcement of Settlement Agreement; Federal Tax Liens)
- *Duval Contracting LLC v. New Jersey Building Laborers' District Council*, 2011 U.S. Dist. LEXIS 144915 (D.N.J. Dec. 16, 2011) (Labor Relations; Labor Arbitration)

- *IBEW Local Union No. 102 v. Star-Lo Electric, Inc.*, 2011 U.S. App. LEXIS 19092 (3d Cir. Sept. 15, 2011) (Labor Agreement; Parol Evidence)
- *United States v. Struble*, 2011 U.S. Dist. LEXIS 164106 (D.N.J. Sept. 1, 2011) (Enforcement of Settlement Agreement)
- *White v. Kolinsky*, 2011 U.S. Dist. LEXIS 54746 (D.N.J. May 18, 2011) (Securities Fraud)
- *IBEW Local Union No. 102 v. Star-Lo Electric, Inc.*, 2010 U.S. Dist. LEXIS 152958 (D.N.J. June 11, 2010) (Labor Agreement; Parol Evidence)
- *IBEW Local Union No. 102 v. Star-Lo Electric, Inc.*, 2010 U.S. District LEXIS 152205 (D.N.J. May 6, 2010) (Labor Agreement; Parol Evidence)
- *Cont'l Cas. Co. v. Healthprime, Inc.*, 2009 U.S. Dist. LEXIS 135811 (N.D. Ga. Sept. 21, 2009) (Pre-Judgment Writ of Attachment; Injunctive Relief)
- *Stevens v. Welch*, 2011 U.S. Dist. LEXIS 12142 (D.N.J. Feb. 7, 2011) (Personal Jurisdiction)
- *White v. Kolinsky*, 2010 U.S. Dist. LEXIS 143096 (D.N.J. Dec. 16, 2010) (Sham Affidavit Doctrine)
- *Interactive Telecomm. Servs., Inc. v. Mil-Comm Prods., Inc.*, 2009 WL 2601621 (N.J. Super. A.D. Aug. 26, 2009) (Wrongful Discharge; Wage and Hour)
- *Cont'l Cas Co. v. Healthprime, Inc.*, 2009 U.S. Dist. LEXIS 139938 (N.D. Ga. June 18, 2009) (Piercing Corporate Veil; Successor Liability)
- *Cont'l Cas Co. v. Healthprime, Inc.*, U.S. District LEXIS 127044 (N.D. Ga. Dec. 15, 2008) (Insurance; Statute of Limitations)
- *Napp Techs., LLC v. Kiel Labs., Inc.*, 2008 U.S. Dist. LEXIS 100734 (D.N.J. Dec. 12, 2008) (Breach of Contract)
- *Baker v. J.J. DeLuca Co.*, 2008 WL 4648235 (N.J. Super. A.D. Oct. 10, 2008) (Construction Negligence; Statute of Limitations)
- *Vanalt Elec. Constr., Inc. v. Selco Mfg. Corp.*, 2008 U.S. Dist. LEXIS 546 (E.D.P.A. Jan. 4, 2008) (Award of Prejudgment Interest)
- *Vanalt Elec. Constr., Inc. v. Selco Mfg. Corp.*, 233 F. App'x 105 (3d Cir. May 8, 2007) (Breach of Warranty)
- *Vanalt Elec. Constr., Inc. v. Selco Mfg. Corp.*, 2005 U.S. Dist. LEXIS 33151 (E.D.P.A. Dec. 15, 2005) (Amendment of Judgment)

## Areas of Focus

### Practices

- Litigation and Trials
- Health Care
- Labor & Employment

### Industries

- Health Care
- Technology

- [Cybersecurity and Privacy](#)
- [Wage and Hour](#)
- [Trade Secrets / Noncompete Litigation and Consulting](#)
- [Discrimination](#)
- [Technology](#)
- [Class Actions](#)

## News

03.25.2024

[Carlton Fields Attorneys Named to 2024 New Jersey Super Lawyers and Rising Stars Lists](#)

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05.11.2023

[Carlton Fields Attorneys Named to 2023 New Jersey Super Lawyers and Rising Stars Lists](#)

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02.01.2023

[Michael Hensley and Lauren Fenton-Valdivia Quoted in Law360: “Carlton Fields Adds 8 Bressler Amery Attys to Litigation Team”](#)

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02.01.2023

[Lauren Fenton-Valdivia Quoted in Daily Business Review: “Carlton Fields Expands Business Litigation”](#)

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01.31.2023

[Carlton Fields Adds Eight Lawyers and Three Staff Across Three Offices](#)

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## Recognition

- [New Jersey Super Lawyers, \*Super Lawyers Magazine\* \(2017–2024\)](#)
- [New Jersey Rising Stars, \*Super Lawyers Magazine\* \(2011–2016\)](#)
- [New York Metro Rising Stars, \*Super Lawyers Magazine\* \(2012–2016\)](#)

No aspect of this advertisement has been approved by the Supreme Court of New Jersey.



# Professional & Community Involvement

- Association of the Federal Bar of New Jersey
  - Board of Trustees
- New York State Bar Association
  - Commercial and Federal Litigation Section
  - Commercial Division Committee

## Speaking Engagements

- “How to Try a Case in Federal Court,” Association of the Federal Bar of New Jersey (December 14, 2021)
- “Taking and Defending Depositions: Strategic Tips and Techniques,” New York City Bar Association (May 17, 2017)
- “How to Take Your First Deposition,” New York City Bar Association Bridge-the-Gap: Corporate & Litigation Seminar, New York, NY (July 21, 2016)
- “Navigating the Default Judgment and Beyond,” New Jersey Institute for Continuing Legal Education (February 3, 2016)
- “Practical Skills, Ethics & More,” New York City Bar Association Bridge-the-Gap: Corporate & Litigation Seminar, New York, NY (July 22, 2015)
- “How to Take Your First Deposition,” New York City Bar Association Bridge-the-Gap: Corporate & Litigation Seminar, New York, NY (January 30, 2015)
- “Damages in the Typical Commercial Case,” New York City Bar Association Bridge-the-Gap: Corporate & Litigation Seminar, New York, NY (May 21, 2014)
- “How to Take Your First Deposition,” New York City Bar Association Bridge-the-Gap: Corporate & Litigation Seminar, New York, NY (November 19, 2013)
- “TROs, Injunctions, and Money Damages in Commercial Cases,” New York City Bar Association (December 5, 2012)
- “Damages in a Typical Commercial Case,” New York City Bar Association Bridge-the-Gap: Corporate & Litigation Seminar, New York, NY (May 23, 2012)
- “Handling Contract/Commercial Litigation Issues,” New Jersey Institute for Continuing Legal Education (December 6, 2011)
- “Bridge the Gap: Ethics, Skills & More,” New York City Bar Association (July 21, 2011)

## Credentials

## Education

- Seton Hall University School of Law (J.D., 2001)
- University of Delaware (B.A., 1998)

## Bar Admissions

- New York
- New Jersey
- Pennsylvania

## Court Admissions

- U.S. District Court, District of New Jersey
- U.S. District Court, Northern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Western District of Texas
- U.S. District Court, Northern District of Ohio

## Background

- Principal, Bressler, Amery & Ross, P.C., Florham Park, NJ (2011–2022)
  - Co-Chair, Business and Commercial Litigation Practice (2019–2022)
  - Associate (2008–2011)