Cullen | Dykman

Attorney Melissa Manna Successfully Obtained Pre-Answer Dismissal of Plaintiff's Complaint Against the Firm's Retail Client

November 9, 2021

Melissa Manna, partner in the firm's General, Tort, and Insurance Litigation Department, successfully obtained pre-answer dismissal of plaintiff's complaint against the firm's retail client in a case involving claims of defamation and defamation *per se*, negligent infliction of emotional distress based on alleged HIPAA violations, intentional infliction of emotional distress based on alleged HIPAA violations, and negligent hiring, retention and supervision. The plaintiff alleged to have been damaged in excess of $1,000,000.00 and sought compensatory and punitive damages. We successfully argued that plaintiff had failed to plead the necessary elements of his causes of action and that a claim had not been properly asserted for punitive damages. In a lengthy decision, the Court granted the pre-answer motion, dismissing plaintiff's complaint as against the retail client and an employee of the retail client, who was named individually in the suit.

About Cullen and Dykman's General, Tort and Insurance Litigation Department

Our litigation attorneys represent individuals and corporations in general liability, tort and insurance defense matters ranging from personal injury and insurance coverage disputes to large-scale commercial litigation. Clients frequently engage our litigators to act as trial counsel in high-exposure cases, and we have extensive experience in appellate litigation involving liability and insurance matters.

About Cullen and Dykman

Cullen and Dykman (www.cullenllp.com) has been providing legal services to institutional clients since 1850. The firm represents a wide range of clients, including banks and other financial institutions, energy, telecommunications and water companies, construction companies, insurers, educational institutions, religious organizations, and not-for-profits. With over 190 attorneys in seven offices located throughout the Northeast and MidAtlantic regions, Cullen and Dykman is strategically positioned to meet the changing needs and demands of our clients.

Practices

- General Liability, Tort and Insurance Defense

Attorneys

- Melissa Manna