



### Alan D. Kaplan

*Counsel Chair, Product Liability Practice Group*

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Alan Kaplan advises Fortune 500 manufacturers, privately-owned businesses, retailers, transportation companies, food distributors and logistics providers in product liability litigation, class action defense and complex commercial litigation involving a wide range of concerns, including breach of contract, breach of warranty, fraud, misrepresentation, business torts, UCC disputes, construction disputes and insurance-related matters.

As chair of Herrick's Product Liability Practice Group, Alan frequently counsels clients in due diligence investigations, as well as government investigations by the Consumer Product Safety Commission, the Food and Drug Administration and the Department of Transportation.

Alan also has an active practice defending major commercial real estate owners, sponsors and developers in construction defect claims, lease and purchase disputes, and litigation commenced by condominium boards and associations in New York. He has advised commercial tenants with respect to significant New York City office construction problems, including defective installations, design, and damages relating thereto.

Alan has also represented major public utilities in matters involving a wide variety of issues including: utility interference and related contractual litigation concerning multi-million dollar public improvement projects related to downtown reconstruction and renovations; research and advice concerning licensing, rights of way, easements and franchise issues related to utility facilities; jurisdictional issues involving State, County and Local governmental authorities; real estate related issues involving utility owned properties; and advice regarding warranty and indemnification.

Alan is well regarded for his ability to successfully resolve difficult and unusual disputes through both trial and appellate litigation, and alternative dispute resolution, including negotiation, arbitration and mediation. He is a veteran litigator who began his career as a prosecuting attorney, subsequently served as regional trial counsel for several prominent companies, and has been involved in more than 100 trials and reported decisions in state and federal courts. Alan has 40 years of litigation experience, over 30 of which was as a Partner at Herrick and other firms. For many years Alan has been rated a leading product liability and business litigation lawyer by Thomson Reuters' *Super Lawyers*, which identifies lawyers who have achieved a high degree of excellence and professional achievement.

### Services

- Corporate Litigation
- Litigation
- Alternative Dispute Resolution
- Construction and Development
- Product Liability
- Real Estate Litigation & Dispute Resolution

- Insurance & Reinsurance
- MENA (Middle East and North Africa)

#### Education

- Boston University School of Law (J.D.)
- The Johns Hopkins University

#### Recognitions and Accolades

- *Thomson Reuters New York Metro Super Lawyers* (2012 - 2024)[Award Methodology](#)

#### Memberships & Associations

- Defense Research Institute
- American Bar Association
  - Past Chairman, Automotive Product Liability Committee
- New York City Bar Association
  - Co-Chair, Food Law Committee
- Sporting Goods Manufacturers Association Legal Task Force
  - Past Member