

Gerard F. Smith

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Gerard F. Smith, is the managing partner for the New Jersey office of Pezold, Smith, Hirschmann & Selvaggio, LLC. Mr. Smith specializes in transportation law, business, commercial, subrogation and insurance law, particularly in the fields of loss and damage claims on behalf of Shippers, Transportation Brokers, Freight Forwarders and Carriers. Mr. Smith has managed other large subrogation matters, including complex fire loss cases, flood losses, warehouse losses, and the complete range of transportation-related recoveries, including matter in the areas of ocean marine, inland marine, rail, truck and aviation claims.

Mr. Smith is also serving as the Municipal Judge in Rockaway Township.

Education

Seton Hall University. B.S., 1974

University of Bridgeport School of Law J.D., 1981

Admissions

New Jersey State Courts

U.S. District Court - Federal District of New Jersey

U.S. Court of Appeals - Third Circuit

U.S. Court of Appeals - Second Circuit

Positions Held

Municipal Court Judge - Rockaway Township - 2007 to Present

Rockaway Township Public Defender - 1998 - 2006

Affiliations

The Transportation Lawyers Association

The Transportation Logistics Council, Inc.

The American Trial Lawyers Association

Morris County Bar Association.

Reported Cases

Robert Burton Associates, Inc. v. Preston Trucking Company, Inc., 149 F.3d 218; (3rd 1998)

John W. Hargrave v. United Wire Hanger Corp., 73 F.3d 36; (3rd 1996)

Phoenix Assurance Company v. Kmart Corp., 977 F.Supp. 319; (3rd 1997)

William H. McGee & Company, Inc. v. United Arab Shipping Co., 6 F.Supp. 2d 283; (3rd 1997)

Schweitzer Aircraft Corp. v. Landstar Ranger, Inc., 114 F. Supp.2d 199 (DCNY 2000)

William H. McGee & Co., Inc. v. United Arab Shipping Co., 6 F.Supp.2d 283, 198 A.M.C. 106, (D.N.J. 1997)

Matter of Arrow Carrier Corp., 1994 WL 411780, (D.N.J. 1999)

Allen, on Behalf of TSC Express Co. v. Clark Distribution Systems, Inc., 1994 WL 397296, (D.N.J. 1994)

State v. M., 88 N.J. Super. 533, 457 A.2d 1237 (Law Div. 1982)

Papers, Publications and Address

Are Incidental Cost of Repairs, General and *Administrative Expenses* Recoverable as Damages? (Transportation Consumer Protection Council, 1995)

Should Shippers and Carriers Contract? (Delta Nu Alpha, Wisconsin 1997)

The Investigation of the Theft of Cargo and the Need to Coordinate and Cooperate with Federal, State and Local Authorities (National Cargo Security Council 1995)

Selecting Third Party Logistics Providers and Other Intermediaries (Transportation Consumer Protection Council, 1998)

The Forum Selection Clause (Transportation Consumer Protection Council, 2001)

Liability of Brokers for Loss and Damage Claims (Transportation Consumer Protection Council, 2004)

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