



Patrick B. Sardino

Member

New York

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Patrick Sardino is an experienced litigator and skilled trial attorney who has taken more than 50 cases to verdict in both federal and state courts.

He handles complex litigation, concentrating his practice in the areas of labor, construction defect, medical device litigation involving complex personal injuries, transportation & logistics, environmental law and catastrophic personal injury, including wrongful death and traumatic brain injury (TBI).

Since joining Cozen O'Connor in 2013, Patrick has built a national trial practice. He has tried cases and led litigation in more than a dozen states and won victories in some of the nation's most challenging jurisdictions.

In addition to defending clients in high-stakes disputes, Patrick counsels corporations and government agencies on loss mitigation and assignment and transfer of risk. Through negotiation of contractual terms and indemnification clauses, Patrick often helps clients limit litigation exposure. He lectures frequently on topics related to complex litigation and litigation avoidance strategies.

Patrick spent nearly a decade in government, first as assistant corporation counsel with the City of Syracuse Corporation Counsel's Office and then as assistant attorney general in the New York State Attorney General's Office. Patrick utilizes his governmental experience in his representation of a wide range of public entities, including industrial development corporations and municipal and state-level authorities. In addition, he defended numerous physicians, hospitals and nursing homes in malpractice, Emergency Medical Treatment and Labor Act (EMTALA), and discrimination cases throughout upstate New York from discovery through verdict, with an exemplary level of success in both state and federal courts.

Experience

Patrick tried a multi-million-dollar matter resulting from a construction accident where liability had already been established. During the damages trial, which included several contentious evidentiary rulings, the jury awarded plaintiff less than 1/3 of the requested amount during closing arguments. The jury award was less than the offer made prior to the damages trial.

Defended a national construction company in a case where plaintiff alleged personal injuries greater than \$10 million as a result of a construction site accident. After successfully getting many of the plaintiff's causes of action dismissed on motion (later upheld on appeal), Patrick directed the defense to obtaining indemnification from various co-defendants. As a result, plaintiff settled with co-defendants for several million dollars, while Patrick's client paid nothing but was instead reimbursed by co-defendants for all defense fees and expenses.

Defended a national trucking company in a case with multiple plaintiffs alleging serious physical injuries and TBI. During discovery, Patrick developed a no-liability defense with multiple experts testifying that the alleged injuries were greatly exaggerated. The strength of both liability and damages defenses resulted in a global settlement with plaintiffs or a mere fraction of the demand.

Practice Areas

- Strategic Risk & Complex Litigation
- Transportation & Logistics Litigation

Education

- Syracuse University College of Law, J.D., *cum laude*, 1991
- Syracuse University, B.S., 1988

Bar Admissions

- New York

Court Admissions

- U.S. District Court -- Eastern District of New York
- U.S. District Court -- Northern District of New York
- U.S. District Court -- Southern District of New York
- U.S. District Court -- Western District of New York

Affiliations

- New York City Bar Association
- New York State Bar Association
- Onondaga County Bar Association
- Syracuse University Whitman School of Management Alumni Club

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Defended a regional development corporation against claims that it discharged petroleum into a waterway during redevelopment of a large industrial property. Patrick successfully moved to dismiss several state law claims against his client. Subsequently, Patrick defeated plaintiff's motion for summary judgment under the CERCLA cause of action as the Court found there was a question of fact as to whether the client was a proper party under CERCLA. Further, the Court determined that other defendants had the obligation to defend and indemnify the client under various purchase/sale agreements and contribution provisions contained in the construction contracts. While an appeal was pending, the case settled and Patrick's client paid nuisance value to resolve all claims.

Defended a mid-east regional construction company in a case with multiple plaintiffs with claims of wrongful death and traumatic brain injury (TBI). Handled the liability trial in which the jury apportioned significant fault against the plaintiffs and dismissed plaintiffs' request for punitive damages. Patrick then negotiated a favorable settlement on the eve of the damages trial after developing convincing arguments against the TBI claims.

Defended a mid-west regional construction company in a \$20 million wrongful death suit. After identifying other potential tortfeasors, developing contribution theories against such tortfeasors during discovery, and conducting jury selection and opening arguments, Patrick reached a settlement with plaintiff's counsel for a fraction of the demand.