

## Kerry Duffy, ASSOCIATE

Kerry Duffy is a litigation associate in ZEK's New Jersey office. Practicing law since 2002, Kerry engages in civil trial and appellate practice in a variety of areas, including foreclosures, commercial disputes, mortgage-related litigation, contract disputes, and bankruptcy/creditor's rights matters on behalf of financial institutions, banks, Fortune 500 companies, and private investors. Kerry previously served as a Law Clerk to the Honorable Edwin R. Alley, J.A.D. in the Superior Court of New Jersey – Appellate Division, and has utilized the skills gained in her judicial clerkship in her practice.

Kerry handles matters from pre-suit investigation through motion and trial practice, and has litigated before the Superior Court of New Jersey, the United States District Court, District of New Jersey, and the United States Bankruptcy Court. Kerry is also admitted to practice in the United States Court of Appeals for the Third Circuit and the United States Supreme Court. Kerry has represented corporate and individual clients in suits involving claims for breach of contract, breach of fiduciary duty, fraud, business torts, breach of the Fair Credit Reporting Act, New Jersey Consumer Fraud Act, Truth-in-Lending Act, Real Estate Settlement Procedures Act, and RICO statutes.

Over the years Kerry has effectively represented lenders and special servicers in connection with non-performing residential and commercial loans involving judicial foreclosures, collection actions, receiverships, and the defense of predatory lending and lender liability claims. Kerry has in-depth knowledge of the foreclosure process, and presented at the National Business Institute Seminar, Real Property Foreclosure: A Step-by-Step Workshop, where her presentation focused on residential foreclosure litigation and a detailed walk-through of the process' legal considerations.

ZEK's clients have received the benefit of Kerry's innovative litigation strategies, and her in depth familiarity with the state and federal courts. Through these skills, she has secured beneficial results for ZEK clients in a variety of areas. For example, she recently secured the dismissal of all claims in a State Court action through early motion practice, avoiding the protracted litigation usually associated with allegations of predatory lending, lender liability, and convoluted fraud claims. Kerry's efforts resulted in significant cost savings to the client. Similarly, Kerry recently secured relief for another ZEK client in a Chapter 11 case in the United States Bankruptcy Court. When it became apparent the client was not being adequately protected, she secured relief from the bankruptcy stay so the client could pursue all state court remedies available to protect its security interest in the property at issue.

Outside the office, Kerry enjoys: running, having completed five half-marathons and a marathon; volunteering for local charitable organizations; and spending time with her nephews.

Kerry has been resident in ZEK's New Jersey office since 2010.

