

Kerry Duffy, Partner

Kerry Duffy is a litigation partner in ZEK's New Jersey office and has been practicing law since 2002. She engages in civil trial and appellate practice in a variety of areas, including foreclosures, commercial disputes, mortgage-related litigation, contract disputes, and bankruptcy and creditor's rights matters on behalf of financial institutions, banks, Fortune 500 companies, and private investors. Kerry gained valuable experience serving 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 those skills throughout 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 for the District of New Jersey, and the United States Bankruptcy Court. She is also admitted to practice in the United States Court of Appeals for the Third Circuit and the United States Supreme Court. She has represented corporate and individual clients in suits involving claims for breach of contract, breach of fiduciary duty, fraud, business torts, and violations 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, including judicial foreclosures, collection actions, receiverships, and the defense of predatory lending and lender liability claims. Kerry has specialized knowledge of the foreclosure process and has written and presented on foreclosure litigation for the National Business Institute *Real Property Foreclosure Workshop*, as well as for National Academy of Continuing Legal Education webinars, including:

- <https://www.nacle.com/CLE/Courses/So-Your-Commercial-Borrower-Is-In-Default-Protecting-your-Security-Interest-1087>
- <https://www.nacle.com/CLE/Courses/Navigating-New-Jersey-Residential-Foreclosures-A-Plaintiff-s-Guide-to-the-Proces-1430>

ZEK's clients have benefited from Kerry's innovative litigation strategies and her in-depth familiarity with both state and federal court processes. Through these skills, she has secured favorable outcomes for ZEK clients in a variety of areas.

Representative Matters:

- [Stenn Assets UK Ltd. v. Giga Tents Inc.](#), 2024 U.S. Distr. LEXIS 77808 (D.N.J. February 28, 2024), New Jersey District Court enforced settlement agreement and entered judgment in favor plaintiff.





OUR TEAM

- English v. Kaplan, 2023 U.S. Dist. LEXIS 15967 (D.N.J. January 31, 2023), New Jersey District Court granted motion to dismiss plaintiff's civil RICO and § 1983 suit against 14 defendants, arises out of the facts underlying two previous lawsuits, which, in turn, concerned a mortgage transaction and related real estate purchase in 2006.
- U.S. Bank National Association v. Reyes, 2021 N.J. Super. Unpub. LEXIS 3094 (App. Div. December 14, 2021), New Jersey Appellate Division affirmed trial court's denial of defendant borrower's motion to vacate final judgment of foreclosure.
- Athene Annuity & Life Assurance Company v. Cunha, 2021 N.J. Super. Unpub. LEXIS 2500 (App. Div. October 18, 2021), New Jersey Appellate Division affirmed trial court's denial of defendant borrower's motion to vacate final judgment in residential mortgage foreclosure action.
- U.S. Bank National Association v. Goulding 2018 N.J. Super. Unpub. LEXIS 318 (App. Div. February 9, 2018), New Jersey Appellate Division affirmed trial court's denial of reconsideration of order declining to vacate 2014 final judgment of foreclosure entered in favor of plaintiff.
- English v. Bank of America, N.A., 2015 N.J. Super. Unpub. LEXIS 1604 (App. Div. July 2, 2015), New Jersey Appellate Division affirmed granted of summary judgment dismissing plaintiff's complaint alleging, inter alia, fraud, conspiracy, tortious interference, negligence, and negligent supervision, against all defendants with prejudice.

Outside the office, Kerry enjoys volunteering for local charitable organizations and is an avid runner, having completed 14 half-marathons and one marathon.

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