

## Thomas A. Muccifori



Partner

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856-354-3056

### Haddonfield, NJ

#### Practice Areas

Commercial Litigation  
Commercial Collections & Consumer Litigation  
Practice  
Debtor & Creditors Rights  
Labor & Employment Law  
Trade Secret Protection and Non-Compete

#### Admitted

New Jersey  
United States Court of Appeals for the Third  
Circuit  
United States Supreme Court

#### Education

Rutgers College (B.A. Economics and English,  
Magna Cum Laude, Phi Beta Kappa 1983)  
Rutgers Law School (J.D., cum laude, 1986)

During his 30 years in practice, Thomas A. Muccifori has litigated business disputes of all types, ranging from complex matters for Fortune 500 companies to mid- and small-sized businesses and individuals, including a variety of labor and employment issues in both the public and private sectors.

Mr. Muccifori is rated AV@Preeminent™ by Martindale-Hubbell; featured on SJ Magazine's "Top Attorney" List, 2005 to 2016 in Business Litigation; named an "Awesome Attorney" by South Jersey Magazine, 2013 and 2015 to 2017; a New Jersey "Super Lawyer" 2005 to 2009 and 2013-2017; and named among the state's "Top Legal Minds" by Inside New Jersey Magazine, 2012. In addition, Tom is one of a very few select attorneys in New Jersey with a rare perfect 10/10 AVVO rating.

In particular, Tom has gained nationwide experience in drafting, negotiating, counseling and litigating non-compete agreements of all types, on behalf of employers, employees and others. He has successfully litigated and defended a number of such cases in State and Federal Court on behalf of employees and employers seeking injunctive and monetary relief in a wide variety of contexts, including sales, technical employees, and key senior management. He is the founder and Chair of Archer's Trade Secret Protection and Non-Compete Practice Group. Tom is also Chair of the firm's Commercial Collections and Consumer Litigation Practice Group, which represents both creditors and debtors in all facets of commercial litigation.

Tom has spent his entire professional career with Archer, beginning with summer clerkships in 1984 and 1985, and as an associate attorney from 1986 until 1994, when he became a shareholder. Tom is licensed to practice in New Jersey and the United States District Court, District of New Jersey, United States Court of Appeals for the Third Circuit, and the United States Supreme Court.

#### Representative Experience

- Utilizing cutting-edge restrictive covenant and inevitable disclosure claims and theories to protect his clients' interests, Tom has obtained temporary restraining orders, preliminary injunctions and other relief for:
  - A leading biotech company
  - A leading plastic supplier company
  - Numerous office supply companies
  - Many large and small Delaware Valley employers riddled with key employee defections to competitors.

- Tom successfully litigated a contentious, complex dispute between a New Jersey distributor of graphic art and printing supply materials against an international printing company and its majority owner. Following a fourteen-day non-jury trial, Tom helped the distributor obtain and collect in full a \$1,543,761.75 million judgment against the printing company and its owner for breach of contract, reformation and fraud. The \$1,543,761.75 judgment entered by the Court was composed of \$792,115.68 in compensatory damages, \$662,775.00 in punitive damages and \$88,871.01 in pre-judgment interest.
- Labor and Special Counsel for the City of Brigantine (2003-2012)
- Business Counsel for a number of companies in the plumbing, lumber, concrete, trailer, transportation and petroleum industries.

## **Professional And Community Involvement**

### Current Professional Organization Membership:

- Litigation Counsel of America: Fellow (Present)
- American Bar Association, Advisory Panel and Committee on Business & Corporate Litigation (2003-present)
- Burlington County Bar Association, Chair, General Equity Committee (2005-present)
- Camden County Bar Association, Creditor Rights and Commercial Litigation committees (1986-present)
- Moorestown Business Association, Chair, Ethics Committee
- New Jersey Bar Association, Equity Jurisprudence Committee
- Atlantic County Bar Association
- Commercial Law League of America (1997-present)
- L.E.A.D. (Lawyers Encouraging Archer's Diversity)
- National Association of Retail Collection Attorneys (1995-present)
- New Jersey State Bar Association
- Ocean County Bar Association
- Society for Human Resource Management
- Trial Attorneys of New Jersey (1986-present)

### Current Community Involvement:

- Burlington County Bar Foundation (2002-present)
- Burlington County Chamber of Commerce
- Moorestown Business Association
- Moorestown Education Foundation
- Moorestown Department of Recreation (2000-present)
- Rutgers President's Council
- Rutgers School of Law, Dean's Leadership Council
- SJ Magazine, Editorial Advisory Board (2015-present)
- Established the Honorable Thomas J. Muccifori Scholarship Fund at Rutgers School of Law, Camden (September 2003)

### Prior Professional and Community Service:

- Burlington County Bar Association, Chair, Continuing Legal Education Committee (2008-2009)
- Burlington County Bar Association, Chair, General Equity Section (2003-2010)
- Burlington County Bar Association, Trustee (2005-2008)
- Camden County Bar Association, Chair, Commercial Litigation Committee (2002-2004)
- Brigantine Historical Society, Board of Directors (2004-2006)
- Steininger Behavioral Care Services, Golf Committee (2001-2003)

#### Additional Community Information

- Rutgers Law School, Lecturer, New Jersey Practice (1994-2004)
- Laurel Creek Country Club
- Moorestown Youth Baseball Federation, Manager and Coach (2000-2008)
- Raman Condominium, Brigantine, New Jersey, Board of Directors and President (1999-2005)

#### Awards And Recognition

- New Jersey Law Journal Professional Excellence Award for Mentorship (2019)
- Phi Beta Kappa (1983)
- American Legion Citizenship Award (1975, 1979)
- Outstanding Young Men of America (1988)
- [Named a "Super Lawyer" by New Jersey Monthly Magazine \(2005-2008, 2013-2017\).](#)
- [Named a "Super Lawyer" in Business Litigation in 2009, Super Lawyers Magazine Corporate Counsel edition](#)
- Named a "Top Attorney" in Business Litigation (2005-2016) and Debt Collection Litigation (2005-2009) by SJ Magazine
- Named an "Awesome Attorney" by South Jersey Magazine (2013 and 2014-2016)
- Monsignor Donovan High School (Toms River, NJ) - Hall of Fame Inductee (1979 State Champion, Tennis)
- AV®Preeminent™ rated Labor and Employment Lawyer (5 out of 5) by Martindale Hubbell
- [Perfect 10 AVVO rating](#)
- Named as one of "Top Legal Minds" (2012) by Inside New Jersey
- Hole in One, September 16, 2001, 3rd hole, Laurel Creek CC
- Club Champion, Tennis. Laurel Creek CC (October 14, 1999)
- Named "2018 Top Rated Litigator" by ALM





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Thomas A. Muccifori  
online at

[SuperLawyers.com](http://SuperLawyers.com)

[visit superlawyers.com](http://visit.superlawyers.com)

Thomas A Muccifori



[View lawyer's profile](#)





## Articles and Presentations

- [The Potential Pitfalls to Hiring Candidates with Noncompete Agreements](#), *Human Resource Executive*, May 2019
- [Navigating the Intersection of the Social Media Highway and Restrictive Covenants](#), *New Jersey Lawyer*, NJSBA, April 2019
- [Eureka!: How to Strike Gold in California While Avoiding Its Anti-Non-Compete Agreement Policy](#), Archer, P.C. Client Advisory, November 3, 2018
- [Caution: Your Over Broad Non-Compete Agreement](#), Archer, P.C. Client Advisory, September 27, 2018
- [The Assault Continues: Recent Developments Would Severely Curtail Employers' Rights To Enforce Non-Compete Agreements](#), Archer, P.C. Client Advisory, May 11, 2018
- [Proposed State Senate Bill Would Substantially Change Restrictive Covenant Law in New Jersey](#), Archer, P.C. Client Advisory, November 10, 2017
- [Social Media Mayhem Continues- Invitations to Connect on LinkedIn Held Not Violative of Non-Solicitation Agreement](#), Archer, P.C. Client Advisory, September 26, 2017
- [The Defend Trade Secrets Act—One Year Later](#), Published May 11, 2017 in the *The Legal Intelligencer*.
- [Jane Recipe Yields 1st STSA Verdict](#), Archer, P.C. Client Advisory, March 29, 2017

- [Caught with their Hands in the Fig Jar—Pirating Companies Pay Big for a Secret Recipe in the First Jury Verdict Under the DTSA](#), Archer, P.C. Client Advisory. March 2017
- [Noncompete agreements a tricky target for Obama administration](#), May 2016, Business Insurance
- [New Federal Defend Trade Secrets Act Prompts Businesses To Revise Their Contracts](#), Archer, P.C. Client Advisory. May 2016
- [Revise Nondisclosure Agreements to Comply with New Law](#), Society for Human Resource Management, May 2016
- "Congress Finally Moving to Protect Trade Secrets Bill Moves to President Obama's Desk" Archer, P.C. Client Advisory. April 2015. By: Thomas A. Muccifori
- "[Corner Office: Thomas A. Muccifori, Esq.](#)," South Jersey Biz, Volume 5, Issue 10 (October, 2015).
- "[Protecting Your Company \(and You\) From Future Litigation Angst](#)" New Jersey Business Magazine, September 2015
- "[Will a Non-Compete Ruin My Life?](#)" CMS Wire, July 6, 2015
- "[The 5 Weapons No Litigator Should Be Without](#)", *Law360*, February 20, 2015.
- "[Federal Trade Secrets Legislation Gains Momentum With House Committee's Approval of Bill](#)" Archer, P.C. Client Advisory. October 2014. By: Thomas Muccifori
- [7 Tips for Writing a Kick-Ass Brief](#), Law360.com, September 22, 2014
- "[Guarding the Harvest: Take a Fresh Look at Protections for Proprietary Information and Intellectual Property](#)", Greater Philadelphia Chamber of Commerce, September 2014. By: Thomas A. Muccifori
- "[6 Things To Leave Out Of That Brief](#)", *Law360*, September 11, 2014.
- "[Exploring the Nooks and Crannies of the Inevitable Disclosure Doctrine](#)", *New Jersey Lawyer Magazine*, New Jersey State Bar Association, April 2014. By [Thomas Muccifori, Esq.](#) and [Benjamin Morgan, Esq.](#)
- Archer, P.C. Client Advisory, "[N.J. Gov. Christie Signs Legislation to Protect Trade Secrets](#)", January, 2012, By: Thomas A. Muccifori and Julie A. Robinson
- "[Ask The Lawyer](#)", Posted in the December 14, 2011 issue of the Moorestown Patch, By: Thomas A. Muccifori, Esq.
- "[New Jersey May Finally Enact Legislation Protecting Trade Secrets](#)" Published in the December 2011 edition of *Mercer Business*. By: Thomas Muccifori and Benjamin Morgan.
- Archer, P.C. Client Advisory, "[New Jersey Poised to Finally Enact Legislation to Protect Trade Secrets](#)", December, 2011, By: Thomas A. Muccifori and Julie A. Robinson
- "[The Nooks and Crannies of 'Inevitable Disclosure'](#)" Published in the New Jersey Law Journal (Reprinted with permission from the December 6, 2010 edition of the New Jersey Law Journal. Copyright 2010 ALM Media Properties, LLC. All rights reserved. Further duplication without permission is prohibited.) By: Thomas A. Muccifori, Esq.

- ["Much Ado About Nothing: Despite predictions, Court declines to overrule Karlin,"](#) Published in the New Jersey Law Journal (Reprinted with permission from the April 18, 2005 New Jersey Law Journal. Copyright 2005 ALM Properties, Inc.). By: Thomas A. Muccifori, Esquire.
- ["How to Obtain Free Credit Reports,"](#) Published on SouthJersey.com. (Copyright 2005 SouthJersey.com). By: Thomas A. Muccifori, Esquire
- ["Odd Man Out: New Jersey is Surrounded by States that have seen the Benefits of Business Courts,"](#) Published in the New Jersey Law Journal (Reprinted with permission from the August 2, 2004 New Jersey Law Journal. Copyright 2004 ALM Properties, Inc.). By: Thomas A. Muccifori, Esquire
- "An Employer's Ability to Obtain an Employee's Credit Report," Published in the July 2004 Executive Council Section of South Jersey Business Magazine. By: Thomas A. Muccifori, Esquire
- ["No Maw Uncertainty: New Jersey Supreme Court Rejects CEPA Claim for Terminated Employee Who Refused to Sign Restrictive Covenant,"](#) Published in the New Jersey Law Journal (Reprinted with permission from the June 7, 2004 New Jersey Law Journal. Copyright 2004 ALM Properties, Inc.). By: Thomas A. Muccifori, Esquire
- ["Doctors' Restrictive Covenants: Weighing the Harm Factor,"](#) Published in the New Jersey Law Journal (Reprinted with permission from the February 9, 2004 New Jersey Law Journal. Copyright 2004 ALM Properties, Inc.). By: Thomas A. Muccifori, Esquire
- [Maw Uncertainty: Ruling On Noncompete Pacts Introduces More Confusion Into An Area That Has Had Its Fill,"](#) Published in the New Jersey Law Journal (Reprinted with permission from the May 12, 2003 New Jersey Law Journal. Copyright 2003 ALM Properties, Inc.). By: Thomas A. Muccifori, Esquire and Robert T. Egan, Esquire
- ["Don't Drop the Ball a Third Time in Trying to Create a Business Court,"](#) Published in the New Jersey Law Journal (Reprinted with permission from the November 4, 2002 New Jersey Law Journal. Copyright 2002 NLP IP Company). By: Thomas A. Muccifori, Esquire
- "New Jersey Labor and Employment Law," Contributing Author as published in the 1998 ICLE publication. By: Thomas A. Muccifori, Esquire

#### Presentations:

- Moderator, Chancery & Injunction Practice in NJ State & Federal Court, Burlington County Bar Association (May 15, 2018)
- Speaker, Small Business Focus: Archer Law's Trade Secret Protection and Non-Compete Practice Group, Moorestown Business Association (December 20, 2017)
- Speaker, What to Do When You Get that Bill, Emergent Litigation Topics NJSBA (April 17, 2016)
- Speaker, Hot Topics in Chancery Practice, Burlington County Bar Association (February 10, 2016)

- Speaker, Demystifying Chancery Practice, Burlington County Bar Association (January 28, 2015)
- Speaker & Moderator, Burlington County Chamber of Commerce Lunch & Learn Programs (September 2012 on Collections) (March 2012 on Non-Compete)
- Speaker, Demystifying Chancery Practice, Burlington County Bar Association (January 31, 2013)
- Speaker, Demystifying Chancery Practice, Burlington County Bar Association (January, 2012)
- Moderator, Demystifying Chancery Practice, Burlington County Bar Association (January, 2011)
- Moderator, Demystifying Chancery Practice, Burlington County Bar Association (January, 2010)
- Moderator, Demystifying Chancery Practice, Burlington County Bar Association (January, 2009)
- Moderator, Demystifying Chancery Practice, Burlington County Bar Association (January, 2008)
- Moderator, The Do's and Dont's of Drafting and Litigating Non-Compete Agreements in Chancery Court (January, 2007)
- Speaker, Burlington County Bar Association Commercial Pilot Program Seminar (October, 2004)
- Participant, Rutgers Law School Attorney Panel Series (March, 2003)
- Guest, Small and Family Business Law, WPSJ Television Show "Legal Line" (January, 2002)
- Guest, Legal Issues Surrounding Non-Compete, Non-Disclosure, and Non-Solicitation Clauses in Employment Contracts, WPSJ Television Show "Legal Line" (June, 2002)
- Speaker, Small and Family Business Seminar, The Hammonton Chamber of Commerce (May, 2001)
- Guest, Collections and Insolvency, WPSJ Television Show "Legal Line" (December, 2001)
- Speaker, Trade Secret and Restrictive Covenant Litigation in New Jersey (NJ ICLE March, 1995)