



Jeffrey S. Posta

STARK & STARK

ATTORNEYS AT LAW

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PRACTICES

- Business Litigation
- Franchise Litigation
- Bankruptcy & Creditor's Rights
- Alternative Dispute Resolution

Jeffrey S. Posta is a Shareholder and member of the Franchise, Litigation and Bankruptcy & Creditor's Rights Groups. Mr. Posta concentrates his practice in the areas of business law, franchise law, bankruptcy, and commercial civil litigation in state and federal courts.

Mr. Posta has practiced before bankruptcy courts since 1983, representing debtors, creditors, trustees and committees. He has prosecuted and defended numerous adversary proceedings and contested matters, including preferences and fraudulent transfers, lien avoidance, and claims objections. His practice also includes pre-bankruptcy workouts, and state court litigation involving assignments for the benefit of creditors and receiverships.

Mr. Posta represents franchisors and franchisees in mediation, arbitration, and litigation in federal and state courts. He has represented parties in proceedings involving, among others, claims for breach of contract, breach of the implied covenant of good faith and fair dealing, fraud, consumer fraud, disclosure compliance, and violations of the New Jersey Franchise Practices Act. Mr. Posta also has experience

dealing with bankruptcy and insolvency issues in the franchise relationship, franchisee terminations, and the enforcement of post-termination covenants.

Mr. Posta has extensive experience in the area of alternative dispute resolution. He is a trained mediator, included in the Roster of Mediators for the courts of New Jersey since 1999, and has mediated many types of cases. He also has represented clients in numerous mediation and arbitration proceedings. He was the Chair of the Dispute Resolution Section of the New Jersey State Bar Association from 2008-2010.

Mr. Posta was a member of the Board of Trustees of the New Jersey State Bar Association representing Mercer County from 2010-2014, and was the Trustee Liaison to the Banking Law, Bankruptcy Law, and Federal Practice and Procedure Sections.

Mr. Posta is currently the Executive Director of the Mercer County American Inn of Court, which teaches effective courtroom skills and promotes collegiality, civility and ethics among its members.

Mr. Posta is a past President of the Mercer County Bar Association, and a past Chair of both the Ethics and Fee Arbitration Committees of the New Jersey Supreme Court in Mercer County. He also served for many years as an attorney-coach for the Mock Trial Team at the Stuart Country Day School of the Sacred Heart in Princeton, New Jersey in the New Jersey State Bar Foundation High School Mock Trial competition.

Prior to entering private practice, Mr. Posta served as a judicial clerk to the Honorable Daniel A. O'Donnell and the Honorable Coleman T. Brennan, Superior Court of New Jersey, Law Division, Mercer County, during the 1982-1983 court term.

EDUCATION

L.L.M., Temple University Beasley School of Law, 1989

J.D., St. John's University School of Law, 1982

B.S., Tulane University, 1979

BAR ADMISSIONS

United States Supreme Court

United States Court of Appeals, Third Circuit

New Jersey

New York

Florida

United States District Court, District of New Jersey

United States District Court, Eastern District of New York

United States District Court, Northern District of New York

United States District Court, Southern District of New York

United States District Court, Western District of New York
United States District Court, Middle District of Florida
United States District Court, Southern District of Florida

PROFESSIONAL ORGANIZATIONS

Mercer County Bar Association

Member; Past President (2000)

Mercer County American Inn of Court

Member; Executive Director

Mercer County Judicial and Prosecutorial Appointments Committee

Former Member

Ethics Committee of the New Jersey Supreme Court, District VII

Former Chair

Fee Arbitration Committee of the New Jersey Supreme Court, District VII

Former Chair

New Jersey State Bar Association

Member; Trustee 2010-2014; Chair, Dispute Resolution Section 2008-2010

New Jersey Supreme Court Committee on Complementary Dispute Resolution

Former Member

New York State Bar Association

Member

The Florida Bar

Member

American Bar Association

Member; Business Law and Dispute Resolution Sections; Forum Committee on Franchising

American Bankruptcy Institute

Member