

Eric R. Breslin, Partner

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Eric R. Breslin concentrates his practice in the areas of complex commercial litigation and white-collar criminal litigation, representing a broad range of companies and individuals. Mr. Breslin is a Fellow of the American College of Trial Lawyers, chair of the ACTL's New Jersey State Committee and Vice Chair of the Federal Rules of Evidence Committee.

Mr. Breslin has tried a variety of criminal and civil matters to verdict in state and federal courts in New Jersey and elsewhere. He has also conducted numerous internal investigations for corporate clients. In 2019, *Chambers USA*'s sources described Mr. Breslin as "...that rare combination of being an excellent trial lawyer, an excellent white-collar criminal practitioner and an excellent civil litigator."

Mr. Breslin is a former judicial clerk to the Honorable Robert N. Wilentz, Chief Justice of the New Jersey Supreme Court, and he is admitted to practice in New Jersey and New York. Mr. Breslin is a 1982 graduate, with honors, of George Washington University Law School and a graduate of Oberlin College.

Representative Matters**Trial**

- Represented an executive facing charges of failure to pay income taxes under N.J.S.A. 54:42-9 in a criminal investigation by the New Jersey Division of Taxation. No criminal charges were brought and the case will now be handled as a civil collections matter.
- Obtained a decision from the Appellate Division of the New York Supreme Court that set the discipline of a client who was facing possible disbarment at a two-year suspension from the practice of law.
- Represented several financial news letter publishers in criminal investigation and in subsequent civil litigation by Securities & Exchange Commission. Investigation resulted in no charges filed and civil litigation settled for nominal settlement.
- Represented attorney in state and federal securities inquiries related to real estate investment vehicles, with outcome that the client found favorable.
- Represented pharmaceutical company and officer accused of sexual harassment and other employment-related misconduct. Case was dropped after vigorous defense.
- Represented Puerto Rican power company in case involving allegations of serious criminal conduct. Effective defense resulted in misdemeanor plea agreement.
- Defended rock star entertainer who was accused of solicitation and other criminal conduct. Case was dismissed.
- Represented company that performs background checks for alleged negligent failure to screen background of worker who murdered a customer of his employer. Effective defense yielded limited settlement contribution of \$5,000.

- Defended manufacturer sued for lost profits, damage to business reputation and consequential damages related to claims of contract breach and failure to deliver working equipment in timely manner. After cross-examination of principal witness, obtained favorable settlement for fraction of total damages sought.
- Handled internal investigation for pharmaceutical company with Puerto Rico operations. Investigation involved environmental issues and alleged violations of the Clean Air Act that potentially jeopardized company's licensing and permitting.
- Handled internal investigation for law firm with employees suspected of inappropriately using computers for potentially criminal purposes. Determined size and scope of problem and recommended effective options for solving it.
- Represented individual in shareholder dispute involving alleged duties of selling shareholders. Obtained favorable result.
- Represented woman accused of intentionally running over her lover with a vehicle. Obtained acquittal in non-jury trial.
- Handled matter in state court for subsidiary of major transportation company sued by a worker who alleged serious injuries from an accident at an airport terminal. Obtained favorable settlement of \$3,000.
- Represented individuals accused of securities fraud and defrauding the government as a result of stock transactions related to a defense contracting company.

Areas of Practice

- White-Collar Criminal Defense
- Complex Civil Litigation

Professional Activities

- New York Council of Defense Lawyers, 2021-present
- American College of Trial Lawyers
 - Chair, New Jersey State Committee, 2023-2025
 - Vice Chair, New Jersey State Committee, 2021-2022; Member, 2018-2023
 - Member, Federal Rules of Evidence Committee, 2018-2024
 - Vice Chair, Federal Rules of Evidence Committee, 2024-2025
 - Member, Emil Gumpert Award Committee, 2024 to 2025
- Appointed to the Criminal Justice Act Panel, United States District Court for the Southern District of New York, 2016-2024
- Appointed to the New Jersey Supreme Court Criminal Practice Committee, 2013-2022
- National Trial Lawyers for Criminal Defense
- American Bar Association
 - Criminal Justice Section
 - White Collar Crime Committee
 - New York Regional Subcommittee Chair
 - Program Director, New York Region
- District VA Ethics Committee
- Member, National Association of Criminal Defense Lawyers

Admissions

- New York
- New Jersey
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Southern District of New York
- U.S. Tax Court
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fifth Circuit

Education

- The George Washington University Law School, J.D., with honors, 1982
- Oberlin College, B.A., History, 1979

Experience

- Duane Morris LLP
 - Partner, 2004-present
- Epstein, Becker & Green, Newark, New Jersey
 - Partner, 1999-2004
- Hannoch Weisman, P.C., Roseland, New Jersey
 - Partner, 1989-1999
- Kostelanetz & Ritholz, New York, New York
 - Associate, 1985-1988
- Stryker, Tams & Dill, Newark, New Jersey
 - Associate, 1983-1985
- New Jersey Supreme Court
 - Law Clerk to the Honorable Robert N. Wilentz, Chief Justice, 1982-1983

Honors and Awards

- Fellow of the American College of Trial Lawyers
- Listed in *The Best Lawyers in America*, 2020-2026
- Listed in *Chambers USA: America's Leading Lawyers for Business*, 2015-2025
- Named a 2022 Top Rated Litigator by American Lawyer Media and Martindale-Hubbell
- Named a New Jersey Trailblazer by *New Jersey Law Journal*, 2019
- AV Preeminent® Peer Review Rated by Martindale-Hubbell®

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Selected Publications

- Co-author, "DOJ's New White-Collar Crime Enforcement Strategy – What Global Corporations Need to Know," *Duane Morris Alert*, May 16, 2025

- Co-author, "Four Key Updates to the DOJ's Evaluation of Corporate Compliance Programs - Will Your Company Withstand Government Scrutiny?" *Duane Morris Alert*, September 30, 2024
- Co-author, "DOJ Criminal Division Launches Game-Changing Whistleblower Awards Pilot Program – Is Your Company Ready?" *Duane Morris Alert*, August 7, 2024
- Co-author, "Court Delivers Opinion on Defendant's Proffered Testimony About Involvement of Counsel in Criminal Case," *Duane Morris Alert*, February 20, 2024
- Co-author, "DOJ Announces an Enhanced Approach to Corporate Criminal Enforcement," *Duane Morris Alert*, October 17, 2022
- Co-author, "DOJ Filing Reawakens Fraud-On-The-FDA Theory Of Liability," *Law360*, August 19, 2022
- Co-author, "DOJ Clarifies Position on Fraud-on-the-FDA Theory of False Claims Act Liability," *Duane Morris Alert*, June 27, 2022
- Quoted, "Sleuthing Juror Causes Mistrial, Gets Fined More Than \$11K," *New Jersey Law Journal*, June 30, 2021
- Co-author, "Second Circuit Holds FCPA Does Not Apply to Foreign Nationals Who Commit Extraterritorial Bribery Crimes," *Duane Morris Alert*, August 27, 2018
- Co-author, "New Jersey Supreme Court Blocks Public Access to Police Dashcam Footage," *Duane Morris Alert*, August 16, 2018
- Quoted, "Freehold Man Accused of Bilking Biotech Cancer Research Firm," App., April 17, 2018
- Contributor, Duane Morris White Collar Criminal Law Blog
- Co-author, "Anti-Corruption 2018 Practice Guide," *Chambers and Partners*, September 2017
- Author, "Supreme Court of N.J. Issues Two Significant Search and Seizure Opinions," *New Jersey Law Journal*, August 10, 2015
- Featured in "THE MADOFF FIVE: History's Greatest Fraud Yields One Of The Greatest Legal Sluggfests Of Our Time," *Forbes*, December 31, 2014
- Featured in "Triple Play: Eric Breslin, a Partner with Duane Morris, on White-Collar Criminal Defense," *NJBIZ*, April 13, 2014
- Featured in "Q&A with Duane Morris' Eric Breslin," *Law360*, May 30, 2013
- Co-author, "Use It or Lose It: U.S. Supreme Court Holds the SEC Must Bring Civil Enforcement Actions Within Five Years of Wrongful Conduct," *Duane Morris Alert*, February 28, 2013
- Featured in "Litigator in the Spotlight" by Jan Wolfe, *The American Lawyer*, January 2013
- Co-author, "U.S. Supreme Court Limits Honest-Services Fraud Prosecutions to Schemes to Defraud Involving Bribes or Kickbacks," *Duane Morris Alert*, June 28, 2010

Selected Speaking Engagements

- Speaker, "Building Trial Skills: New Jersey," National Institute for Trial Advocacy, November 17, 2025
- Speaker, "2025 Trial Bootcamp: Master the Art of Trial Advocacy," New Jersey State Bar Association, November 12, 2025

- Speaker, "Faculty Demonstration of Direct/Cross," American College of Trial Lawyers Sixth Trial Advocacy Program, June 7, 2025
- Speaker, "Proactive Employer Strategies: Preparing for ICE Raids in the Workplace," Duane Morris LLP, Webinar, February 19, 2025
- Co-presenter, "What to Do When the Government Comes Knocking," Energy and Environmental Industries General Counsel Boot Camp, Webinar, May 19, 2023
- Panelist, "COVID-19 and Fraud," Association of International Certified Professional Accountants, Webinar, August 18, 2021
- Presenter, "COVID-19: From Sea to Shining Sea: A Quick Update of U.S. and International COVID-Related Restrictions," Duane Morris LLP, Webinar, December 11, 2020
- Panelist, "Federal Trials in the Age of COVID," Federal Defenders Of New York, Inc., Webinar, November 23, 2020
- Speaker, "Worrisome Legal Issues Arising from COVID-19: What You Need to Know," McKnight's Online Forum: COVID-19 Update V, July 22, 2020
- Speaker, "Criminal Trial Advocacy Institute: Identifying, Preparing and Presenting Expert Witnesses," New Jersey Institute for Continuing Legal Education, New Jersey Law Center, October 5, 2019
- Presenter, "Civil Trial Advocacy Summer Institute," New Jersey Institute for Continuing Legal Education and American College of Trial Lawyers, New Jersey, July 13, 2018
- Presenter, "Select Issues in Digital Evidence, Social Media and Discovery," C. Willard Heckel Inn of Court Meeting, Rutgers Law School, January 31, 2018
- Panelist, "Collection of Digital Evidence for Use at Trial," Association of Criminal Defense Lawyers of New Jersey, West Orange, New Jersey, October 29, 2016
- Moderator, "Brave New World: What the Government's New War on Computer Crimes Means for Privacy Interests," American Bar Association Criminal Justice Section's Fourth Annual Prescription for Criminal Justice Forensics, New York City, June 7, 2013
- "What To Do When The IRS Comes Knocking: A Primer for Accountants," given to various accounting groups