Established in 1950 and committed to the principles of honesty, integrity and communication, Montfort, Healy, McGuire & Salley has earned an outstanding reputation throughout the New York metropolitan area, and within the insurance industry, for the competent and ethical practice of law. Our goal is to contribute to our clients’ success by providing effective, efficient and expeditious legal representation.

Our firm takes pride in its exceptional stability. Our trial attorneys average over fifteen years of litigation experience. The firm is comprised of seven partners and sixteen attorneys overall. We have a support staff of over twenty.

Our firm has received the highest ratings from the authoritative Martindale-Hubbell Law Directory, having earned the designation of Preeminent, based upon confidential recommendations submitted to the publishers by lawyers and judges in the law firm’s primary areas of practice.

Our attorneys practice in state and federal courts, on both trial and appellate levels, and represent clients before administrative agencies. They regularly handle matters in all counties of the metropolitan New York area, including the five boroughs of New York City as well as Nassau, Suffolk and Westchester Counties. The firm also represents clients in the United States District Court for the Southern and Eastern Districts of New York.

We recognize that each client who defends a personal injury matter is unique. While every corporate client will invariably have special requirements, we find that many share common goals in the defense of personal injury litigation, including:

- Early analysis
- Prompt reporting
- Efficient representation and quick resolution of claims
- Results

Our sixty-five years of experience have proven that we have learned to listen to our clients. We help them meet their goals by understanding their individual requirements. Since its inception, the firm has limited its practice primarily to the field of personal injury defense and its clients have always included major automobile, homeowner and commercial carriers. We have also represented numerous self-insured public, private and charitable corporations.

Many issues will arise during the pendency of any claim. At this stage, it is vital to conduct an early investigation and to evaluate the matter. We recognize that discovering your needs is a continuing process and constitutes the first and most vital step in providing the services you require.

During pre-trial proceedings, every case is treated individually in order to minimize the expense of discovery proceedings without compromising the defense of an action. We will also make every effort to force the early resolution of all pending lawsuits.

Should the litigation proceed to trial, our attorneys will appear daily, where they will work to bring matters to a final conclusion well within the expectations of our clients.

Following the trial outcome, we will advise you immediately whether an appeal should be taken from an order or judgment, and we will take all steps necessary to perfect the appeal. Members of the firm have argued appeals in the Appellate Divisions of New York State, the New York Court of Appeals and in the United States Second Circuit Court of Appeals.

Our Appellate Department will also keep your management advised of current trends and changes in the law as they occur.
DONALD S. NEUMANN, JR., MANAGING PARTNER

Donald S. Neumann, Jr. was admitted to the New York State Bar in 1974 and began his career with Montfort, Healy, McGuire & Salley the same year. Initially, he focused exclusively in trial practice and gaining a broad range of trial experience in automobile, premises, municipal, medical malpractice and product liability. He was also responsible for any questions of insurance coverage that arose during the course of litigation.

Beginning in 1980, his practice concentrated primarily in medical malpractice defense. His areas of concentration included vascular and bypass surgery, general surgery, and infectious diseases. He managed a caseload of approximately eighty malpractice cases, the majority of which were resolved by discontinuance or dismissal, either prior to or during trial.

Since 1986, he has served as the managing partner of the firm, while continuing as an active practitioner. While continuing in the capacity of managing partner, he has also served as the head of the firm’s appellate department since 1998, having recorded approximately 250 reported appellate decisions, including four cases from the New York State Court of Appeals, the highest-ranking court in New York State. He has also handled appeals in the United States Court of Appeals, Second Circuit.

Education: Northeastern University School of Law, J.D., 1972; Colby College, B.A., 1969.


MICHAEL J. BORANIAN, PARTNER

Michael J. Boranian heads the firm’s medical malpractice group. He has been admitted to practice law in New York and New Jersey since 1989. He joined Montfort, Healy, McGuire & Salley in December 2005 as senior trial counsel and has been partner since 2008. Over his 25-year career, Mr. Boranian has represented large hospital centers and individual physicians, nurses, physician assistants and other medical providers in the defense of high-exposure orthopedic, obstetrical, cardiological, neurological and general medical claims and lawsuits. In addition to defense of medical malpractice matters, Mr. Boranian’s experience and practice includes litigation and trial in several other areas of personal injury defense, including the successful representation of corporate, institutional and individual clients in large damage suits involving claims of product liability, product defect, product misuse, labor law, construction, municipal liability and dental malpractice.

Education: Brooklyn Law School, J.D., 1988; Queens College of the City University of New York, B.A., 1983.


CHRISTOPHER T. CAFARO, PARTNER

Christopher T. Cafaro has extensive experience in trial practice. His areas of practice include construction and labor law. He has successfully litigated complex labor law cases involving contractual indemnification, anti-subrogation and coverage issues on cases involving catastrophic injuries. He also concentrates his practice in complex tort litigation, including municipal liability, product liability, medical and dental malpractice, premises liability and automobile litigation. Outside the courtroom, he has served as a past chairman of the Nassau-Suffolk Trial Lawyers Association. He currently serves as a member of the Grievance Committee for the 10th Judicial District, the bar’s governing body overseeing attorney conduct. He was selected as a New York Super Lawyer for the years 2012, 2013 and 2014.


FRANK J. CAFARO, PARTNER

Frank J. Cafaro was admitted to the New York State Bar in 1963. He has represented the firm’s core clients in professional liability defense litigation for more than 40 years. During this period of time, Mr. Cafaro has tried over 100 cases to verdict. He has represented corporate defendants, insurance carriers, product manufacturers, hospitals, municipalities, public utilities, and many individual physicians, nurses, and technicians employed in the medical community.

Education: Fordham University School of Law, LL.B., 1962; Lehigh University, B.A., 1956.


JAMES MICHAEL MURPHY, PARTNER

James Michael Murphy has been a partner at Montfort, Healy, McGuire & Salley since 1993. He concentrates his practice in personal injury, construction and labor law, negligence, insurance law, product and municipal liability. He has extensive experience in federal court matters arising under 42 U.S.C. Section 1981 and 1983. Mr. Murphy has handled a wide range of matters, including wrongful death, labor law, police liability, declaratory judgments, fire loss, employment discrimination, defamation, contract actions, claims involving motor vehicles, public utilities, property damage, anti-subrogation, and insurance coverage matters. He has tried a broad variety of cases to verdict in both the state and federal courts. He currently serves as an officer of the Nassau-Suffolk Trial Lawyers Association.


JEFFREY D. PRESENT, PARTNER

Jeffrey D. Present joined the firm in 1987. He has represented a variety of insurance companies in declaratory judgment actions (both as a plaintiff and defendant) at the New York trial and appellate levels, as well as in the United States District Court. Mr. Present has tried cases in almost every county in the First and Second Judicial Departments, primarily involving serious automobile accident and premises liability actions. He has extensive experience in litigating complex declaratory judgments, insurance coverage matters and personal injury cases. He has been a partner since 2000.

Mr. Present has regularly presented seminars to insurance company personnel and claims managers on the issues of arbitration, insurance coverage and defense of tort litigation. He has also developed and presented CLE (Continuing Legal Education) programs on the topics of insurance defense matters, deposition and trial techniques before bar groups throughout New York State, including the New York State Judicial Institute, and for Hofstra University.

Among the honors and awards he has earned, he was the recipient of the GEICO Leadership Award in 1999. He was also the recipient of the Young Lawyer's Award by the New York State Bar Association's Torts, Insurance and Compensation Law Section in 2000.

Since 2009, he has served as a director of the Nassau-Suffolk Trial Lawyers Association.

Education: Pace University School of Law, J.D., 1987; Queens College, City University of New York, B.A., 1984.

**PRACTICE AREAS**

**PRODUCT LIABILITY**
Our firm has successfully defended lawsuits arising out of the alleged defective manufacture or design of a wide array of products, ranging from ladders, boilers, conveyer belts, and automobiles, as well as consumer products such as handheld tools, space heaters, and cosmetics. We are aware of the different legal issues facing manufacturers, resellers, and distributors. Our firm has extensive experience in litigating the liability of successor corporations.

**CONSTRUCTION AND INDUSTRIAL ACCIDENTS**
Our firm has defended a major utility for more than two decades as well as a number of large commercial carriers. We have successfully defended lawsuits arising out of all types of construction actions premised on alleged violations of Sections 200, 240, and 241 of the Labor Law. We are conversant with coverage issues unique to the labor law field, including disputes arising out of blanket additional insured clauses, the requirement for indemnification where an agreement to procure an OCP policy has been breached, and application of the anti-subrogation rule.

**PROFESSIONAL LIABILITY CLAIMS**
Our firm is extremely active in the field of medical malpractice defense and is regularly retained by several medical malpractice insurance carriers to defend both hospitals and doctors. We have also defended numerous claims of malpractice brought against attorneys, architects, and accountants.

**INSURANCE COVERAGE**
Many issues relating to coverage can arise after an accident has occurred. Your insured may be entitled to indemnification by a co-defendant or to coverage from the insurance carrier of a co-defendant. In a commercial automobile policy, for example, coverage under the loading and unloading clause may or may not exist, depending upon the facts of each case. A major portion of our practice consists of the interpretation of insurance policies and the resolution of coverage issues.

**FEDERAL CIVIL RIGHTS CLAIMS**
We represent several police departments and are experienced in the defense of claims brought pursuant to Section 1983 and in all aspects of police civil liability. We have also defended numerous claims of discrimination in employment and claims brought pursuant to Sections 1981 and 1985.

**PERSONAL INJURY CLAIMS ARISING OUT OF MOTOR VEHICLE ACCIDENTS**
Since our inception, we have represented, and continue to represent, numerous major automobile carriers. We also represent self-insureds who operate large fleets of motor vehicles. Our firm is familiar with all aspects of first-party claims, including SUM, UMI, and No-Fault. We are experienced with issues arising out of coverage disputes pursuant to both personal and commercial policies, including late notice and lack of cooperation. Additionally, we understand the complex nuances of AIP claims, including Rule 14 violations.

**HOMEOWNER CLAIMS**
The standard homeowner’s policy provides coverage for a wide variety of personal injury claims. We have successfully defended claims arising out of slip-and-fall accidents, dog bites, and alleged labor law violations. We are conversant with current coverage developments, including the often litigated claims for “unintentional injury” or “negligent assault.”

**COMMERCIAL PREMISES PERSONAL INJURY CLAIMS**
Whether property is used for commercial or residential purposes, landlords are named with increasing frequency as defendants in a wide variety of claims arising from slip-and-fall accidents due to the alleged failure to provide adequate security. Depending upon the county where the accident occurred, many different statutes can affect the duty of care owed. Experience gained from representing many municipalities, supermarket chains, and small businesses has provided the firm with an expertise in the defense of all forms of premises liability claims.

**MEDICAL MALPRACTICE**
Each day, healthcare professionals carry out their jobs with the knowledge that the procedures they perform may not go as planned. When risk becomes reality, victims and their families often look for someone to blame. In order to prevail on a medical malpractice claim, a plaintiff must prove that he sustained injury as a direct result of the medical treatment and that the treatment did not meet the minimum standard of care required of a reasonable and prudent medical professional. Our law firm holds plaintiffs to their burden of proof and seeks to have frivolous claims dismissed as soon as possible. Our firm has earned a reputation for achieving outstanding results in medical malpractice defense cases.

**HOSPITAL LIABILITY ADMINISTRATIVE LAW**
Our attorneys defend hospitals and medical professionals in administrative hearings before government agencies throughout the New York metropolitan area, including at the New York State Department of Health. We also advise clients regarding potential patient problems that threaten the financial stability of institutions, including mental hygiene law hearings, patient refusal of treatment hearings, and right-to-die issues.

The firm also represents clients in civil rights and discrimination claims, in criminal defense matters, and in termination of privileges proceedings.

The firm also assists hospitals with drafting documents and creating policies to help ensure institutions comply with state and federal healthcare standards. The firm also drafts and reviews medical staff bylaws that define staff standards and licensing procedures.