



Partner

LibertyView
457 Haddonfield Rd., Suite 700
Cherry Hill, New Jersey 08002
Phone (856) 675-1972
Fax (856) 663-8855
bspang@dilworthlaw.com

Practices

Litigation
Corporate and Business
Banking & Financial
Services

Education

J.D., *magna cum laude*,
Rutgers School of Law -
Camden, 2011
B.S., Biology, Villanova
University, 2002

Bar Admissions

Pennsylvania, 2011
New Jersey, 2011
United States District
Court District of New
Jersey, 2011
United States District
Court Eastern District of
Pennsylvania, 2012

Ben Spang is a skilled and experienced litigation and trial attorney with a diverse background. He practices in both State and Federal Courts throughout Pennsylvania and New Jersey and focuses his practice in the areas of commercial, construction and financial services litigation.

Ben handles a wide range of construction matters spanning the spectrum of public, commercial and residential. He has experience litigating claims in connection with the design, development and construction of various projects throughout New Jersey and Pennsylvania, including construction defect cases, design errors, delay claims, construction and mechanics lien enforcement and defense, as well as insurance coverage litigation. His experience and ability to develop practical and cost efficient solutions allows him to counsel clients and identify potential problems before they arise and also to quickly and successfully resolve issues that do occur.

In his financial services practice, Ben has a wealth of experience litigating disputes and claims arising under the Uniform Commercial Code, the Electronic Funds Transfer Act, Regulation E, credit card payment processing and other payment systems disputes. He assists clients with commercial loan workouts and commercial foreclosure actions. His clients include both local and national banks as well as other lending institutions. Ben's experience along with his knowledge of financial regulations and statutes allow him to effectively counsel and work with his clients to achieve excellent results.

Ben has substantial experience counseling business owners in shareholder and member disputes for both large and closely held business entities. He has litigated claims involving minority shareholder oppression, disassociation of members, business dissolutions, shareholder derivative, breach of fiduciary duties and compulsory buyouts of ownership interests. His understanding of the often complex nature of the relationships between the parties and the intricacies of the laws which govern disputes enables him to effectively craft cost efficient solutions when practical, or if not practical, fully litigate the dispute for the benefit of his clients.

In addition to his specialized experience, Ben has handled litigation for clients in a variety of other industries including employment litigation, class actions, eminent domain proceedings, commercial landlord-tenant issues, condominium and home owner association disputes, business collections,

interstate transportation carriers, and general litigation. His counsel and experience are invaluable to the clients he represents. Ben is strategic and reliable. In each representation he tailors his approach to the case to ensure each client is receiving the most efficient services but also ensuring that the client's specific goals are achieved.

Prior to becoming an attorney, Ben served as an Officer in the United States Army with the 10th Mountain Division. He also served as an Assistant Professor of Military Science with the Army Reserve Officer's Training Corps. Several years after becoming an attorney, Ben re-entered the military and is currently serving as a Judge Advocate in the Army Reserve.

Representative Experience

- Served as trial counsel for a landowner in eminent domain proceedings and obtained a jury verdict in excess of \$2.6 million against the New Jersey Department of Transportation where the government's offer to purchase the property was less than \$200,000.
- Served as trial counsel in an eminent domain proceeding and successfully obtained a jury verdict in excess of \$500,000 for the landowner where the condemning authority had offered \$0 for the property taken.
- Represented condominium association and unit owners in a construction defect case against the developer, architect and various contractors and successfully obtained settlements on the eve of trial in excess of \$2.3 million.
- Served as trial counsel for a regional bank in a complex commercial loan work involving a developer which consisted of multiple entities, 13 different properties, multiple foreclosures and law suits and various bankruptcy cases including disputed hearings and trials over the fair market value of properties.
- Successfully defended numerous cases against local, regional and national banks involving claims of check fraud and various other claims arising under the Uniform Commercial Code.
- Served as outside counsel to regional bank and provided counsel and assistance to formulate policies and procedures for handling of disputes between banks regarding claims of altered and forged checks.
- Defended company and individual owner against claims of minority shareholder oppression and breach of fiduciary duty by obtaining summary judgment which was upheld by the New Jersey Appellate Division in a published opinion. *Metro Commercial Management Services v. Van Istendal*, 457 N.J. Super. 66 (App. Div. 2018)
- Successfully defended a health club and gym against a class action complaint alleging claims under the New Jersey Consumer Fraud Act, Retail Installment Sales Act and Truth-In-Consumer Contract, Warranty and Notice Act resulting in all claims, including the request for class certification being denied.
- Defended a title insurance company against a class action complaint alleging violations of the

Truth in Lending Act and Regulation Z and successfully reached a favorable class settlement.

- Successfully defended and prosecuted claims on behalf of homeowners and contractors related to construction contracts and disputes that arose under the New Jersey Consumer Fraud Act, the Contractor’s Registration Act and the Home Improvement Practices Regulations.
- Successfully represented various commercial landlords to obtain possession of premises and monetary judgment against tenants, including bringing claims of successor liability.
- Represented Fortune 500 logistics and package delivery company in litigation matters throughout Pennsylvania and New Jersey.
- Served as national defense counsel for an online advertising company handling contractual disputes and claims throughout the United States.

Speeches and Presentations

- “Economic Impact of Joint Base McGuire Dix Lakehurst,” presented for the Burlington County Chamber of Commerce, April 2012.
- “Trends and Developments in Consumer Fraud Act Litigation,” presented for the Burlington County Bar Association, March 2017

Notable Decisions and Articles

- *Metro Commercial Management Services v. Van Istendal*, 457 N.J. Super. 66 (App. Div. 2018)
- 11/19/2018 [NJ Court Won't Revive Fired Accountant's Shareholder Claim](#)

NEWS / EVENTS

Press Releases

- Dilworth Obtains \$2.6 million Just Compensation Verdict in Marlton Circle Reconstruction Condemnation
- Four Attorneys Promoted Within Dilworth Partnership

E-Alerts

- Coronavirus Disease (COVID-19) and Its Effect on the Workplace and Beyond!