
J. Philip Kirchner, Flaster Greenberg Shareholder of More Than 30 Years, Passes Away

Press Release

November 29, 2023

Flaster Greenberg is saddened to announce that J. Philip Kirchner (“Phil”), one of the longest tenured Shareholders with Flaster Greenberg PC, passed away on Tuesday, November 21, 2023. He was 74 years old.

Having joined the firm in 1992 during one of its early expansion stages, Phil brought his commercial litigation expertise to the firm and established the firm’s Commercial Litigation Department, which he chaired for many years. He was also an active member of the Labor & Employment and Business & Corporate Departments, as well as the Construction, Estates, Insurance, Restaurant & Hospitality, Pharmaceutical, and Nonprofit Industry Groups. Much of Phil’s practice focused on business litigation and negotiating international supply, quality, and related contracts for his manufacturing clients. In Phil’s own words, “Every case I work on is different. So, I go to school every day. No two cases are alike, and that’s the exciting part of what I do.”

Phil’s commitment to the practice of law and the betterment of young attorneys was evident. He chaired the Commercial Litigation Committee of the Camden County Bar Association, served as editor of *New Jersey Lawyer* magazine, and was a legal writing instructor of first-year law students during law school.

Throughout his career, he continued his passion for effective legal writing by teaching seminars and leading workshops on various legal writing topics, including having served as a legal writing instructor for the Philadelphia Diversity Law Group. Additionally, since its inception, Phil was an active member of the firm’s Diversity, Equity & Inclusion Committee and was passionate about the Committee’s mission. Phil was just as generous with his time and dedication to the local community, including the nine years he served on the Board of Directors for the Mental Health Association of Southwestern New Jersey (as president, vice president, and chair of Fund Development), which in 2015, honored Phil with a “Toast & Roast” for his commitment to the organization. He was a longtime member of the Haddonfield Recreation Council, previously served as president of the Haddonfield Little League, and served as president for the nonprofit organization Building Baseball Dreams, Inc., which raised funds to benefit inner city youth baseball programs.

Firm Founder, Stephen M. Greenberg, recounts, “Phil was our firm’s first litigator after we made the decision to become a full-service commercial law firm. As such, he was a pioneer and responsible for building our litigation practice; a tall order that he accomplished wonderfully, in no small part because of his winning personality. Everyone liked Phil and he never had a bad word to say about anything or anyone. He was a terrific lawyer and in particular, a superb writer. I’m proud to say that Phil was my partner for over 31 years, and I will truly miss him.”

Just a few of Phil's many notable successes in and out of the courtroom include convincing the New Jersey Supreme Court to narrow the preclusive effect of New Jersey's "entire controversy doctrine" in cases involving initial litigation outside of New Jersey. In one case, the Supreme Court reversed an adverse ruling against his client, and in doing so created a new law in New Jersey. The Supreme Court adopted his narrow bright line test to clarify what had been an unsettled area of the law.

Prior to earning his law degree, Phil had a thriving career in higher education. He was the Dean of Students at Beloit College, Assistant Dean of Students/Resident Dean at the University of California at San Diego, and the Assistant Director, Living Learning Center, at the University of Vermont. While attending law school at the University of Pennsylvania, where he earned his J.D., *magna cum laude* in 1984, Phil was an associate editor of the Law Review, a member of the Order of the Coif, served as an Arthur Littleton Legal Writing Instructor, and received the Maurer Prize in Criminal Procedure. He earned his master's degree from the University of Vermont, M.Ed. in Higher Education Administration in 1974, *summa cum laude*, and his bachelor's degree from Villanova University in 1971, *cum laude*, with a major in Humanities.

He began his legal career working at AmLaw100 firms before spending the remainder of his career at Flaster Greenberg, where he maintained a dynamic law practice and was an active member of the firm until his recent illness, which he fearlessly battled the past few years.

Co-Managing Shareholders, Jordan A. LaVine and Steven S. Poulathas, also reflect on Phil's professional and personal demeanor. LaVine says, "Above all, Phil was a superb and thoughtful mentor to younger lawyers. He always provided helpful and constructive advice, and he always did so in a positive manner. In social settings, Phil was always the person who would ask you how you were doing and about your family before he would speak about himself -- and this remained true even throughout his various health struggles over the last several years. He loved the firm and was always willing to serve in any capacity to help -- whether as department chair or on the diversity committee. We loved Phil and his presence will be sorely missed."

Poulathas adds, "We are all so upset with Phil's passing. Phil was one whose actions are worth emulating. He was loyal and dedicated without compromise to his family, friends, our firm, and his clients. He also possessed a unique and advantageous quality of being able to approach all forms of challenges and adversities with calmness, thoughtfulness, and strategy. All in all, he was first a gentleman and a kind heart always willing to give advice and mentor with no expectation of anything in return. He courageously fought until the end and will truly be missed."

Phil is survived by his wife, Karen, and two sons, John and Matthew. In lieu of other expressions of sympathy, the family would appreciate memorial donations to: Community Foundation of South Jersey – Mary's Fund, P.O. 446, Haddonfield, NJ 08033.

ATTORNEYS MENTIONED

J. Philip Kirchner