



Kevin J. Coakley

Chairman of the Executive Committee, Roseland Office

Telephone: (973) 535-0500

Facsimile: (973) 535-9217

E-mail: kcoakley@connellfoley.com

Kevin J. Coakley is Chairman of the Executive Committee of the firm, a position he was appointed to in 2006.

As a senior member of Connell Foley's Real Estate Law and Land Use Department, he focuses his practice on development and redevelopment projects throughout the state of New Jersey. During a career that has spanned thirty-five years, he has developed extensive experience with zoning, permitting, condemnation, wetlands and tidelands matters. Mr. Coakley is also a member of the firm's Environmental Law Practice Group. His practice involves significant interaction with government.

He has represented the developers of Bridgewater Commons Mall since its inception. The Mall is a commercial development of over 2,000,000 square feet in Bridgewater Township in Somerset County, New Jersey.

Mr. Coakley has significant expertise in litigation based on Fifth Amendment takings claims. He was counsel to the successful plaintiff in the landmark inverse condemnation case of Loveladies Harbor v. United States, 28 F3d 11721 (Fed. Cir. 1994).

He is particularly skilled in the use of litigation to challenge adverse rulings in development projects from regulators, including municipal bodies and state agencies. Examples of his successes in this area include the \$1.6 million dollar settlement in Estate of Desiderio v. State of New Jersey. Mr. Coakley brought suit on his client's behalf after the State of New Jersey barred residential development of the client's property, which included wetlands in Ocean County.

Additionally, in 2006 Mr. Coakley successfully settled two class action lawsuits on behalf of out-of-state members of the trucking industry against the State of New Jersey. The settlements resulted in \$8.25 million dollars being refunded by the State to trucking companies that had been forced to pay unconstitutional fees. As a result of his efforts, Connell Foley was successful in removing a long standing state tax against trucking companies; getting the state to refund back taxes to those involved; and having the state permanently enjoined from imposing flat, unapportioned fees on the trucking industry.

Mr. Coakley serves as a board member for Alliance for Action, a position to which he was elected in 2008. He is a former member of the New Jersey Supreme Court Committee for the Tax Court, and former member of the Board of Trustees of the Blue Shield Plan of New Jersey as well as former chairman of the Lawyers Advertising Committee of the New Jersey State Bar Association. At Rutgers Law School, Mr. Coakley served as a Member of the Law Review. Upon graduation, he became the Law Secretary to the Honorable John W. Fritz, New Jersey Superior Court, Appellate Division (1972-1973).

Practice Areas:

Real Estate Law and Land Use
Environmental Law
Business Litigation

Admitted to Practice:

State of New Jersey
United States District Court for the
District of New Jersey
United States Court of Appeals for the
Third Circuit
United States Court of Appeals for the
Federal Circuit
United States Court of Federal Claims
United States Supreme Court

Education:

St. Vincent College (B.A., 1968)
Rutgers University School of Law (J.D.,
1972)

Affiliations:

American Bar Association
New Jersey State Bar Association
Alliance for Action

ROSELAND

85 Livingston Avenue
Roseland, NJ 07068
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JERSEY CITY

Harborside Financial Center
2510 Plaza Five, Jersey City, NJ 07311
Tel (201) 521-1000 Fax (201) 521-0100

NEW YORK CITY

888 Seventh Avenue, Suite 3401
New York, NY 10106
Tel (212) 262-2390 Fax (212) 262-3118

PHILADELPHIA

1500 Market Street, 12th floor, East Tower
Philadelphia, PA 19102
Tel (215) 246-3403 Fax (215) 665-5727

Publications

- Co-author, "More Precision on Wetlands" in the New Jersey Law Journal (2007).
- Author, "Inverse Condemnation: The Search For The Relevant Parcel" (1996).

Representative Experience

- *Bridgewater Commons* (Bridgewater, New Jersey) – The project, commenced in the late 1980s, now includes over 2,000,000 square feet of mall, office and hotel space. The project is a long-term redevelopment project carried out in cooperation with the municipality. Mr. Coakley has represented the project since its inception.
- *Allied Junction* (Secaucus, New Jersey) – On September 6, 2003, the Governor of New Jersey dedicated the new \$600,000,000 rail station at Allied Junction in Secaucus, Hudson County. Mr. Coakley and Patrick McAuley of Connell Foley represented the private developer who donated the land for the station and retained development rights to build 3,600,000 square feet of retail, office and hotel space in and above the station. The station is the largest new rail station opened in the United States since 1900. A new interchange of the New Jersey Turnpike has been constructed next to the station. The project was a long-term cooperative effort with public agencies to create a project having unique transportation advantages.
- *Heritage Minerals Property* (Manchester Township, New Jersey) – Mr. Coakley completed negotiations of a settlement on behalf of Harry Hovnanian with the New Jersey Department of Environmental Protection, the New Jersey Pinelands Commission and several environmental groups to allow a 2,450 unit residential redevelopment of a 7,000 acre property in Manchester Township, New Jersey. The settlement involved many complex matters, including as relevant here, provisions for DEP amendment of sewer service planning areas, amendment of the State Plan and the resolution of significant environmental issues involving prior mining use of the site.
- *Prudential Arena* – Connell Foley represented one of three property owners who exchanged numerous properties to advance the Newark Arena Redevelopment Area.
- *Heavy and Highway Contractors* – Connell Foley and Mr. Coakley are counsel for several of the most active public works contractors operating in New Jersey.

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