Litigation

Nutter litigators enjoy a national reputation based on their superior skills both in and out of the courtroom. We aggressively and effectively represent clients from pre-litigation counseling through the litigation process, including discovery, trial and appeal, as well as alternative dispute resolution where appropriate. As a litigation law firm, we pride ourselves in achieving positive outcomes for our clients through sound strategy, intense preparation, and steadfast advocacy.

Our Team

Our litigators are prominent and highly respected members of the legal and business communities. Many of them have served in leadership positions in the American, Boston, and Massachusetts Bar Associations, and the Commonwealth’s Judicial Nominating Committee. Some of them appear in The Best Lawyers in America, teach at Boston law schools, and are nationally published. Among our partners are:

- Two fellows of the prestigious American College of Trial Lawyers
- A former first assistant U.S. attorney, chief of the Criminal Division of the U.S. Attorney's Office in Boston, and senior trial attorney in the Department of Justice
- A former assistant U.S. attorney and chief of the economic crimes unit for the District of Massachusetts
- A former justice of the Massachusetts Superior and Probate Courts
- The former president of the Boston Bar Association, founding member of the Women's Bar Foundation, and chair of the SJC's Standing Committee on Pro Bono Services
- Former Massachusetts assistant attorneys general
- A director of the Environmental Business Council of New England

Who We Represent

Our clients represent a broad spectrum of businesses and individuals, including major publicly-held companies based in the United States and abroad, family-owned and other privately-held companies, professional service firms, including several of the Big Four accounting firms and numerous prominent law firms, major universities, hospitals, and other non-profit institutions, regulated businesses such as registered broker-dealers, money management firms and investment advisers, and governmental entities, including the Commonwealth of Massachusetts, various state agencies and numerous municipalities.

What We Do

Antitrust
- Price fixing, market allocations, group boycotts and other conspiracies
- Dealer terminations and other dealer/distributor disputes
- Monopolization
- Price discrimination
- Government investigations
- Defending and attacking proposed mergers, joint ventures and other business combinations
- Unfair competition and other business torts
- Tying and reciprocal dealing
- Claims involving intellectual property issues, including standard-setting and restrictive licensing practices

**Alternative dispute resolution**

- Arbitration of all types, including commercial, labor, construction and international
- Mediation
- Mini-trials and other court-sponsored ADR methods
- Service as trained neutrals and arbitrators for AAA, court-sponsored privately arranged, and other ADR forums

**Commercial litigation**

- Complex contract disputes
- Tortious interference and other business torts
- Common law fraud
- RICO
- Chapter 93A
- Non-competition covenants
- Partnership and close corporation disputes
- Business valuation
- Software disputes

**Bankruptcy and workout litigation**

- Represent officers and directors of troubled companies both before and during bankruptcy proceedings
- Obtain pre-bankruptcy injunctive and attachment remedies for creditors
- Litigate in the Bankruptcy Court against estate representatives claiming preferences, fraudulent conveyances and breach of fiduciary duty
- Represent buyers of troubled businesses in the Bankruptcy Court

**Education**

- Tort claims arising out of campus security breaches for universities and secondary schools
- Title IV
- Civil rights
- Student discipline
- Claims under the Family Educational Rights and Privacy Act
- First Amendment issues, including freedom of speech and separation of church and state
- Employment claims
- Faculty disputes

**Employment**

- Employment and labor relations matters
- Contract disputes over employment contracts and non-competition covenants
- Wrongful discharge
- Discrimination and harassment
- ERISA
- Privacy
- Defamation
- Worker’s compensation
- Worker health and safety

**Environmental**

- Ground water contamination
- Environmental compliance actions
- Superfund clean-ups
- Wetlands protection
- Hazardous waste disposal
- Private party clean-ups
- Environmental impact assessments
- Sewage treatment and disposal
First Amendment

Intellectual property
- Patents
- Trademarks and trade dress
- Copyrights
- Trade secrets

Insurance
- Coverage disputes and bad faith claims
- Asbestos claims
- Environmental and other Massachusetts tort coverage issues
- Directors’ and officers’ liability
- Life, health and disability coverages
- Complex coverage issues in bankruptcy context
- Coverage audits and other proactive insurance counseling

Probate
- Will contests
- Trust disputes
- Cy pres proceedings
- Custody
- Adoptions
- Paternity
- Partitions of property
- Claims against fiduciaries

Product liability
- Medical devices
- Blood products
- Pharmaceuticals
- Motor vehicles
Heavy equipment
Computer equipment
Gases
Chemicals
Asbestos-containing products
Consumer products

Professional liability and malpractice
Accounting
Legal
Medical

Real estate and zoning
Construction claims
Land use disputes
Commercial lease disputes
Eminent domain

Securities and corporate
Securities fraud
Insider trading
Corporate disclosure issues
Claims arising out of mergers and acquisitions
Proxy contests and other corporate control disputes
SEC and state securities enforcement
Officer and director liability
Broker/dealer disputes
Claims involving investment advisory firms

White collar criminal defense
Criminal trials and appeals
Representing witnesses before federal and state grand juries
Claims such as procurement fraud, tax fraud, antitrust, mail and securities fraud, money laundering, and campaign contribution violations

Representative Matters

Representation of a healthcare products and medical supplies company against claims for breach of contract
Representation of a healthcare products and medical supplies company against multimillion dollar claim for breach of contract in connection with a supply agreement.

Representation of transportation company against wage and hour claims
Representation of the limousine industry in numerous independent contractor-employee misclassification disputes including class actions, individual lawsuits and enforcement proceedings by state regulators.

Summary Judgment Victory: Adam Ercolini v. The Commerce Insurance Company
After Adam Ercolini collided with a Commerce insured vehicle and suffered collision damage to his car, Commerce paid to repair Ercolini’s car and restore it to its prior condition. Ercolini nevertheless sued Commerce on his own behalf (as a third-party claimant) and on behalf of a putative class. According to Ercolini, Commerce had to pay for “inherent diminished value” damages (or IDV damages), the alleged difference in market value of a car that has been fully repaired after an accident compared to the market value of the same car before the collision. The underlying theory: there is an alleged stigma attached to vehicles that have been in an accident, regardless of repair. Ercolini asserted claims for breach of contract, declaratory judgment, and alleged violations of G.L. c. 93A.

Commerce moved for summary judgement. Judge Salinger granted the motion. Judge Salinger grounded his decision, in part, on his synthesis of Massachusetts tort law: “[W]here damaged property has been fully repaired, and the responsible party has paid the full repair costs, . . . the property owner is not entitled to collect and the responsible party is not obligated to pay any additional amount for residual diminution of value.” He concluded: “[U]nless and until the appellate courts change this rule, the policy language at issue here does not give [Ercolini] any right to recover for alleged IDV damages in addition to recovering the full cost to repair [his] vehicle[].”

Nelson Apjohn and Eric Magnuson led the Nutter team. Melanie Woodward and Joe Toomey assisted in early investigation of the facts and legal issues and in serving and responding to discovery. Nehal Khorraminejad and Maya Ginga assisted in preparing the motion for summary judgment. The entire team was assisted by Kate Johns, Paige Smith, Jennifer Catarius, Chris Feldman, Kelly Cannizzaro, and Lila Abraham.

Nutter achieves trial win for Big Four accounting firm
In November 2019, a Nutter trial team received a jury verdict in their favor for Nutter’s client, a Big Four accounting firm. Nutter’s client was alleged to have committed accounting malpractice for not detecting a fraud during the course of its annual audits. The plaintiff was seeking approximately $30 million in alleged actual and punitive damages. After a three-week trial in the Business Litigation Session of the Massachusetts Superior Court, the jury returned a verdict in favor of Nutter’s client and the judge dismissed all remaining claims. Nutter’s trial team included Ian Roffman, Nelson Apjohn, and Melanie Woodward, and they tried the case with co-counsel George Salter of...
Hogan Lovells (NY).

**Class of insurance companies**
Nutter represented a class of insurance companies in RICO litigation filed against one of their competitors.

**Financial services company**
Nutter obtained summary judgment in an age discrimination suit filed against a large financial services company.

**Fortune 100 insurance company**
Nutter defended a Fortune 100 insurance company in multistate litigation arising out of the hiring of agents from a competitor, including claims relating to non-competes, breach of contract, and tortious interference.

**Fortune 100 medical device company**
Nutter represented and counseled a Fortune 100 medical device company in non-compete, non-solicit, and trade secret strategy and litigation throughout the country.

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**Health insurance plan**
Nutter represented a health insurance plan in a qui tam lawsuit alleging billing improprieties, and prevailed at motion to dismiss stage.

**Laboratory**
Nutter represented a laboratory in qui tam litigation alleging fraudulent billing practices, and secured a key court opinion favorable to the entire industry.

**Major medical device manufacturer**
Nutter represented a major medical device manufacturer in defending multiple whistleblower claims brought by former employees in several jurisdictions.

**Medical device manufacturer**
Nutter represented a medical device manufacturer in multiyear non-compete litigation involving significant sales representatives who made multiple moves between competitors.

**Multinational corporation**
Nutter persuaded the Department of Labor to reestablish its rule against extraterritorial application of Sarbanes-Oxley Section 806, resulting in dismissal of a retaliation claim filed against a multinational corporation filed by an employee of an Asian subsidiary.
**North Dakota manufacturer**
Nutter successfully defended a North Dakota manufacturer before the National Labor Relations Board against the union’s unfair labor practice claims after the manufacturer withdrew recognition of the union.

**Wealth management group**
Nutter represented a wealth management group in pursuing non-compete and non-solicitation claims against a Fortune 100 company and three former employees. We obtained a favorable pre-litigation settlement.

**Cali’flour Foods**
Nutter advised Cali’flour Foods, the developer and manufacturer of low-carb, gluten-free cauliflower products, in a Series A financing round led by Sunrise Strategic Partners, with participation from CircleUp Growth Partners.

**Manufacturer of Specialized Industrial and Technical Paper Products**
Nutter serves as national coordinating counsel to a manufacturer of specialized industrial and technical paper products, named as a defendant in asbestos cases across the country.

**Consumer Product Manufacturer and Retailers in Talcum Powder Litigation**
Nutter represents a consumer product manufacturer and retailers in multi-district litigation and other coordinated national litigation involving talcum powder. Roles on the team range from serving as local counsel to leading national science teams responsible for identifying and preparing experts and developing defense strategies related to the medical, scientific, and technical issues relevant to each case.

**Food and Beverage Companies**
Nutter advises food and beverage companies on some of the common areas of litigation and regulatory risk faced as they design and implement their product packaging and marketing plans.

**Medical Device Companies in Multi-District Litigations**
Nutter repeatedly represents medical device companies in multi-district and “one-off” product liability litigations involving orthopaedic implants. The team has served as both national counsel and as part of a “virtual law firm” responsible for such diverse tasks as analysis of the science (including orthopaedics, biomechanics, biomaterials, epidemiology, and pathology), retention of expert witnesses, analysis of company documents, and development of narrative themes for company witnesses. Nutter also works with the company’s in-house and outside counsel in Canada, Europe, and Asia-Pacific on these related issues.

**Pharmaceutical and Medical Supplies Distributor in Opioids Litigation**
Nutter represents a distributor of pharmaceuticals and medical supplies in coordinated national litigation involving opioids.

**Major Pharmaceutical and Medical Device Corporations**
Nutter has represented and is representing major corporations in lawsuits involving diverse pharmaceutical and medical device products, such as contact lenses, contraceptive patches, pediatric painkillers, quinolone antibiotics,
migraine medication, and tissue morcellators.

**Greater Boston Chamber of Commerce**

Nutter filed a successful amicus brief on behalf of the Greater Boston Chamber of Commerce in *Calixto, et al. v. Coughlin, et al.* that warned against expanding the Massachusetts Wage Act beyond earned wages. According to the brief authors, doing so would have created uncertainty for employers and have had a detrimental effect on distressed businesses.

**Veterans Board of Appeals**

Secured Veterans Board of Appeals remand for veteran’s widow in the appeal of her claim for death benefits for the veteran’s suicide.

**Represented shorefront owners in litigation concerning easement rights on Cape Cod**

Nutter defended several shorefront owners in litigation concerning access to the waters of Cape Cod Bay. The courts ruled that the original developers did not reserve beach rights for the inland owners and further confirmed that the shorefront owners owned their land out to the mean low water line.

**Litigation over the sale of a multi-million dollar property in Chatham**

Nutter recently secured a victory in the Massachusetts Appeals Court in an opinion that upheld the granting of a special motion to dismiss a suit that sought to enforce an alleged contract for the sale of a multi-million dollar water-view property in Chatham. The Appeals Court also ruled that the property owner was entitled to recover its appellate legal fees from the plaintiffs. The plaintiffs’ complaint alleged that the defendants’ failure to countersign the plaintiffs’ written purchase offer breached a promise that had been made by the defendants’ local attorney and real estate broker, and that the defendants became legally obligated to sell the property when the plaintiffs submitted a signed written offer and tendered a deposit check. On appeal, the plaintiffs changed their theory and claimed that an email from the defendants to their real estate broker discussing terms that the defendants wished to see in any deal could be combined with the plaintiffs’ later purchase offer to create a contract and satisfy the writing requirement of the statute of frauds. The Appeals Court rejected the theory, affirmed the lower court decision granting the defendants’ special motion to dismiss the case, and ruled that the plaintiffs would have to pay the defendants’ legal fees on appeal. The key holding was that, even though the unsigned form of the purchase offer came from the defendants’ attorney, it always remained an offer to purchase that the defendants were free to accept or reject, and that it was never an offer to sell.

**Summary judgment and appeal in putative class action regarding total-loss claims**

Nelson Apjohn represented The Commerce Insurance Company, the largest vehicle insurer in Massachusetts, in a putative class action claiming that its policy and Massachusetts regulations required Commerce to pay sales tax when settling a total-loss claim made by a third-party claimant, who fails to show that he or she incurred a sales tax purchasing a replacement vehicle. He argued the summary judgment motion before the Superior Court, which granted the motion and entered judgment in favor of Commerce. Nelson also successfully argued on behalf of Commerce the plaintiff’s appeal before the Massachusetts Court of Appeals, which affirmed the judgment. *Ramirez v. Commerce Ins. Co.*, 91 Mass. App. Ct. 144 (2017).
Top ten verdicts of 2011
After an approximately two-week trial in April 2011, a Barnstable Superior Court jury awarded damages of $2,100,000 to the plaintiff landowners in an eminent domain trial resulting from various takings at the former Sagamore Rotary. Nelson Apjohn and Robyn Maguire represented the plaintiffs. According to Lawyers Weekly, the verdict was among the top ten verdicts in Massachusetts in 2011.

The takings were made in October 2004 in connection with the Commonwealth’s construction of the Sagamore Flyover Highway Project. The plaintiffs’ land consisted of approximately seventeen acres just west of the former Sagamore Rotary, which had historically been used in part for residential housing. The plaintiffs presented evidence at trial that the highest and best use of the land was a residential housing development pursuant to G.L. c. 40B, along with a commercial development on the commercially-zoned eastern portion of the property. The Commonwealth contended that the highest and best use of the property was for a nine-lot residential subdivision.

Top ten verdicts of 2010
After an approximately two-week trial in October 2010, a Barnstable Superior Court jury awarded damages of $4,150,000 to the plaintiff landowner in an eminent domain trial resulting from various takings at the former Sagamore Rotary. Nelson Apjohn and Robyn Maguire represented the plaintiff. According to Lawyers Weekly, that verdict was among the top ten verdicts in Massachusetts in 2010.

This case involved the Commonwealth of Massachusetts’ takings of commercial property near the former Sagamore Rotary in Bourne, Massachusetts. The takings were made in connection with construction of the Sagamore Flyover Highway. The property consisted of approximately eleven acres of commercial property, a portion of which had been used as a gas station since the 1960s. The Commonwealth took approximately 2.5 acres in fee and approximately an additional 7.5 acres of property as a five-year easement, for use as a commuter parking lot during construction.

Won jury verdict in a major business torts case
After a client’s competitor acquired a client’s exclusive supplier and threatened to terminate the client’s supply of a key component, we sued the competitor and supplier. In a month-long trial, we obtained a jury verdict holding the competitor and a supplier liable for breach of contract, tortious interference, and misappropriation of trade secrets, ultimately leading to a favorable judgment for declaratory and injunctive relief, double damages, and a multimillion dollar legal fee award under Massachusetts’s unfair trade practices statute.

The Commonwealth of Massachusetts
Nutter lawyers served as Special Assistant Attorneys General representing the Commonwealth of Massachusetts in connection with all claims arising from construction defects from the alleged “sick building” status of the Ruggles

Representation of insurance companies in class action litigation involving the workers compensation industry
Represented insurance companies that wrote workers compensation insurance in class action litigation involving the entire workers compensation industry. This litigation, brought in the United States District Court for the Northern District of Illinois (in Chicago), involved claims of hundreds of millions of dollars of premium underreporting that affected the contributions of all class members to state-mandated reinsurance pools.
Representing client in civil and criminal cases related to construction project
Sarah Kelly was part of the Nutter team that represented many engineers involved with civil and criminal litigation arising from a major Boston construction project.

Defense verdict in U.S. District Court
Sarah Kelly was part of a team that secured a defense verdict for its client after a four-week jury trial in the U.S. District Court for the District of Massachusetts. A major European luxury hotel brought suit against Nutter’s client based on the client’s alleged connection to a significant fire at the hotel. The hotel claimed that the client was responsible for this fire because one of the client’s guests, a customer, negligently discarded a cigarette in her hotel room.

After four years of discovery and motion practice, Nutter presented its case to a jury, demonstrating not only that its client was not negligent but that the hotel’s fire safety practices were inadequate. The trial lasted four weeks, while the jury deliberated for less than a day before rendering a verdict entirely in favor of Nutter’s client.

Dismissal of litigation in both state and federal court
Sarah Kelly has successfully represented a managing director of a private equity firm against breach of fiduciary duty claims. The claims, brought by various plaintiffs, have been litigated before both state and federal courts in California, and Nutter has successfully defended its client before all of them, including the Supreme Court of California. They arose out of the client’s position as an outside director of a California health-care company that eventually went bankrupt. The cases have all been resolved in the client’s favor, as a result of successful motions to dismiss and motions for summary judgment.

Large Printing Company
Nutter obtained a jury defense verdict for a large printing company on a multimillion dollar claim arising from allegations of widespread hazardous exposure to lead dust.

Obtained favorable settlement on patent infringement claims
Our client was sued for allegedly infringing a patent pertaining to the method by which our client’s product was packaged. Though the client denied any infringement, the client was able to settle the matter on favorable terms, including an advantageous license arrangement.

Won judgments in complex real estate litigation after related jury-waived trials in two courts
One of the country’s largest retailers sued our client for millions of dollars in alleged damages and for an injunction based on a claimed breach of an easement agreement. After a jury-waived trial, we obtained a judgment dismissing the case. The court credited our client’s interpretation of the agreement and found there was no breach. In a related
case, our client sued the retailer and a local permitting authority in a different court to overturn a decision that granted the retailer a permit to develop its property in a manner that would have been detrimental to our client’s adjoining property. After a jury waived trial, we obtained a judgment overturning the permit on the ground that the permitting authority abused its discretion. The combination of these two decisions later enabled the client to make an advantageous sale of its property to a third party.

**Negotiated Favorable Settlement for Client Mid-trial in Unusual Will Contest**

After our client and her children had received one-third of a large estate through distributions of a relative’s will, the executor decided that he had misread the will and that our clients were entitled to only a one-seventh share. The executors requested instructions from probate court to distribute the estate in sevenths; our clients opposed and counter-sued for breach of fiduciary duty. The court ruled that our clients were entitled to only one-seventh of the estate under the will’s clear language, but after a day of trial the executor’s insurer agreed to pay our clients the full amount they were required to return to the estate.

**Case Studies**

Nutter represents shorefront owners in litigation on Cape Cod.
10.09.2018

**News**

Jeremy Halpern and Sarah Kelly Discuss Navigating Co-Manufacturer Relationships in *Candy Industry*  
05.21.2020 | Media Coverage

Mary Ryan Authors Article on Volunteering at the Border in *ABA Senior Lawyers*  
04.30.2020 | Media Coverage

Nutter Joins COVID Relief Coalition  
04.23.2020 | Press Release

Nutter Practice Areas, Lawyers Earn Top Rankings in *Chambers USA 2020*  
04.23.2020 | Press Release

The Mid-Market Report: Liam O’Connell and Mike Scott Featured in Law Firm Leaders Q&A  
04.07.2020 | Media Coverage

Liam O’Connell Quoted in *NOSH* on Federal Family Leave Act amid COVID-19 Pandemic  
03.24.2020 | Media Coverage

Eric Magnuson Quoted on ‘Pens Down’ Article in *Massachusetts Lawyers Weekly*  
02.13.2020 | Media Coverage
Nutter Elects Six New Partners in its Corporate and Transactions, Litigation, and Private Client Departments
01.02.2020 | Press Release

Seth Berman Quoted on Cybersecurity and Privacy Predictions for 2020 in Law360
01.01.2020 | Media Coverage

Mary Ryan Recognized as a ‘Member Who Inspired Us in 2019’ by the ABA Journal
12.30.2019 | Media Coverage

Seth Berman Outlines 2020 Cybersecurity Predictions in Security Info Watch
12.27.2019 | Media Coverage

Nutter Named to the BTI Client Service A-Team 2020: Survey of Law Firm Client Service Performance
12.05.2019 | Announcement

The Boston Globe Names Nutter a Top Place to Work for 2019
11.15.2019 | Press Release

11.01.2019 | Press Release

Seth Berman Weighs In on the Presidential Impeachment Inquiry on Luminary Podcast
10.21.2019 | Media Coverage

Mary Ryan Weighs In on the ABA’s Immigration-Related Resolutions in the ABA Journal
08.19.2019 | Media Coverage

Forty-four Nutter Lawyers Named 2020 Best Lawyers in America©
08.15.2019 | Press Release

Ian Roffman Serves as Member of Boston Bar Association’s Judicial Independence Working Group
08.15.2019 | Announcement

Dan Hartman Appointed to the Massachusetts Advisory Committee of the U.S. Commission on Civil Rights
08.06.2019 | Announcement

Nutter Ranks #3 in Vault’s 2020 ‘Best Midsize Law Firms to Work For’ List
07.22.2019 | Announcement

Liam T. O’Connell and Michael E. Scott Commence Terms as Nutter Co-Managing Partners
07.01.2019 | Announcement

Seth Berman and Tom Curry Quoted on Data Security in the Financial Services Industry in Law360
06.14.2019 | Media Coverage
Nutter Selected to the 2019 BTI Brand Elite by BTI Consulting
05.16.2019 | Media Coverage

David Ferrera Quoted on the Risks Facing Medical Device Makers After FDA Effort in Bloomberg Law
05.14.2019 | Media Coverage

Chambers USA 2019 Recognizes Nutter Lawyers, Practices as Industry Leaders
04.25.2019 | Press Release

Mary Ryan Quoted on a Supreme Judicial Court Decision in Massachusetts Lawyers Weekly
04.22.2019 | Media Coverage

Seth Berman Weighs In on the Mueller Report in Christopher Lydon’s Open Source
04.19.2019 | Media Coverage

Liam O’Connell and Mike Scott Elected Co-Managing Partners of Nutter, Reports Massachusetts Lawyers Weekly
04.11.2019 | Media Coverage

Eric Magnuson Quoted on U.S. District Court Ruling on Jurisdiction in Massachusetts Lawyers Weekly
04.03.2019 | Media Coverage

Liam O’Connell and Mike Scott Elected Co-Managing Partners of Nutter, Reports BBA Week
04.03.2019 | Media Coverage

Nutter Announces New Firm Leadership, Reports Banker & Tradesman
03.28.2019 | Media Coverage

Nutter Names New Firm Leaders, Reports The American Lawyer
03.28.2019 | Media Coverage

The Boston Business Journal Reports on Nutter’s Management Transition
03.28.2019 | Media Coverage

Liam T. O’Connell and Michael E. Scott Elected Co-Managing Partners of Nutter
03.25.2019 | Press Release

Deborah Manus Quoted on Mid-Size Firm’s Talent Advantage in The Mid-Market Report
03.18.2019 | Media Coverage

Mary Ryan Selected as an Exclusive Category Winner in Massachusetts by the 2019 Client Choice Awards
02.14.2019 | Announcement

Nutter Files Amicus Brief in Calixto, et al. v. Coughlin, et al. on Behalf of the Greater Boston Chamber of Commerce
01.17.2019 | Press Release
Nutter Recognized in the *BTI Client Service A-Team 2019: The Survey of Law Firm Client Service Performance*
12.13.2018 | Announcement

Mary Ryan Appointed as a Member of the SJC’s Massachusetts Access to Justice Commission
11.28.2018 | Announcement

11.01.2018 | Press Release

Ian Roffman Quoted Extensively on the SEC’s Use of Advanced Analytics in *Massachusetts Lawyers Weekly*
10.29.2018 | Media Coverage

Chris Lindstrom Elected President of the Board of Directors of Lawyers Clearinghouse
10.02.2018 | Announcement

Dawn Curry Named a ’2019 Benchmark Litigation Star’
09.28.2018 | Announcement

Ken Berman Quoted on Witness Preparation in the *Boston Globe*
09.26.2018 | Media Coverage

Jonathan Kotlier Named Fellow of the Litigation Counsel of America
08.29.2018 | Announcement

Thirty-nine Nutter Lawyers Named 2019 *Best Lawyers in America*©
08.15.2018 | Press Release

Chris Lindstrom Quoted on Revised Massachusetts Non-Compete Rules in the *Boston Globe*
08.07.2018 | Media Coverage

David Ferrera Named Vice Chair of CLE - Annual Meeting for the Drug, Device and Biotechnology Committee of the International Association of Defense Counsel
08.07.2018 | Media Coverage

Mary Ryan Quoted on Pro Bono Services for Unaccompanied Minors in *ABA Journal*
06.28.2018 | Media Coverage

Massachusetts Appleseed Names Nutter Associate Micah Miller to Board of Directors
06.28.2018 | Media Coverage

Heather Repicky Quoted on Supreme Court Ruling on Lost Profit Damages Arising from Patent Infringement in *IAM Magazine*
06.26.2018 | Media Coverage
Heather Repicky Comments on the Significance of the Supreme Court’s Decision in WesternGeco v. ION GeoPhysical in IPWatchdog
06.25.2018 | Media Coverage

Events

Moving Forward to the “New Normal”: A Conversation With The Honorable Maura Healey
05.20.2020

Webinar: Biz + Bites Lunch Series: Dealing with Supply Chain Disruption for Food and Beverage Companies
05.15.2020

Webinar: COVID-19: The CARES Act and Employer Funding Solutions
04.02.2020

Ken Berman to Present at the ABA 2020 Insurance Coverage Litigation Committee CLE Seminar
03.06.2020

Ken Berman to Present at the ABA Section of Litigation’s 2020 Corporate Counsel CLE Seminar
02.14.2020

Ian Roffman to Speak at MCLE New England 19th Annual Business Litigation Conference
02.07.2020

Mike Leard to Present at the MBA's Mid-Level Associates Forum
02.06.2020

Brian Lee to Present on the Products Liability Implications of Innovative Products at ABA Conference
01.31.2020

Mike Leard to Co-Chair the Massachusetts Bar Association’s Second Annual Young Lawyers Division Symposium
12.13.2019

Labor, Employment and Benefits Breakfast: The ABCs of Independent Contractors
12.04.2019

Seth Berman Serves as Advisory Board Chair of the Boston Bar Privacy & Cybersecurity Conference
12.04.2019

Seth Berman to Present on Universities and Data Breaches at the Boston Bar Association
11.20.2019

Ken Berman to Present on Witness Testimony at Yale University
10.07.2019
David Ferrera to Present on Product Liability Implications of Product Innovations at IADC’s 2019 Annual Meeting
07.08.2019

Seth Berman to Moderate Cyberattacks and Incident Response Panel at the BBA's Privacy & Cybersecurity Conference
05.14.2019

Ken Berman to Present on Reinventing Witness Preparation at the Association of Corporate Counsel Event
04.25.2019

Liam O’Connell to Present on Labor Laws at the MBA's 40th Annual Labor & Employment Law Spring Conference
04.25.2019

Labor, Employment and Benefits Breakfast Briefing: Paid Family and Medical Leave
04.23.2019

Heather Repicky and Melanie Todman to Present at the Women, Diversity & Change Summit
04.10.2019

Emily Fox to Present at ‘A Recipe for Success: Tips for Building the Right Team'
04.03.2019

Will Bernat and Chris Lindstrom to Present on Employee Compensation at The Capital Network Event
04.01.2019

Mike Leard Serves as Co-Chair of the Massachusetts Bar Association’s ‘Survive and Thrive’ Event
03.13.2019

Mark Jensen to Present on the SEC’s Liquidity Risk Management Program Rule at the Boston Bar Association
03.12.2019

Ken Berman to Present on Cross-Examination Techniques at the 2019 Insurance Coverage Litigation Committee CLE Seminar
02.28.2019

Eric Magnuson Presents at the Association of Corporate Counsel’s Webinar ‘Mediation Before Litigation? Yes You Can’
02.27.2019

Ken Berman to Moderate Witness Preparation Panel at the American Bar Association’s 2019 Corporate Counsel CLE Seminar
02.16.2019
Mary Ryan to Present on Environmental Permitting Litigation at MCLE’s 20th Annual Environmental, Land Use & Energy Law Conference
02.07.2019

Ken Berman to Present on Witness Preparation at Social Law Library Event
12.04.2018

David Ferrera to Present on Hiring the Right Regional Counsel at ACI’s 23rd Annual Drug and Medical Device Litigation Conference
11.30.2018

Ken Berman to Present on Working with Witnesses at the ABA Section of Litigation’s 2018 Professional Success Summit
11.15.2018

Ken Berman to Present on Witness Preparation at UConn Law Alumni Event
11.14.2018

David Ferrera to Present on Implications of Product Innovations at the ABA Section of Litigation Product Liability Committee Regional CLE Program
11.09.2018

Will Bernat and Chris Lindstrom to Present on Employee Compensation and Equity at The Capital Network Event
11.06.2018

Seth Berman to Present on Cyberattacks and the Role of the Legal Department at ACC Event
11.05.2018

Seth Berman and Heather Repicky to Present at the LES 2018 Annual Meeting
10.14.2018

Nutter Food and Beverage Lunch: How to Avoid False Advertising and Similar Litigation
10.03.2018

Eric Magnuson to Present on Effective Written Motion Practice at Social Law Library
09.24.2018

Sa’adiyah Masoud to Present on Diversity at the Massachusetts Defense Lawyer Association
09.11.2018

Ken Berman to Present on Witness Preparation in American Bar Association Webinar
09.05.2018
Nutter Hosts The Veterans Consortium Pro Bono Program for Veterans Claims Appeals  
06.27.2018

Publications

Receive a Bankruptcy Notice During the Pandemic? Don’t Delay  
05.13.2020 | Legal Advisory

Patent Litigation in a Pandemic: Courts Forge Ahead And Patentees Continue to Institute New Cases Despite Coronavirus  
05.05.2020 | Legal Advisory

Do You Qualify for Immunity Under the Public Readiness and Preparedness Act?  
04.29.2020 | Legal Advisory

Nutter Bank Report: April 2020  
04.29.2020 | Legal Update

Extensions of Court Orders Regarding Impact of COVID-19 in Massachusetts  
04.28.2020 | Legal Advisory

Writing for Banker & Tradesman, Tom Curry, Dan Hartman, and Blake Tyler Pen Article on the CARES Act  
04.26.2020 | Article

Will Business Interruption Insurance Protect Against Losses Caused by COVID-19?  
04.10.2020 | Legal Advisory

04.10.2020 | Legal Update

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Nutter’s eDiscovery team is comprised of knowledgeable and seasoned litigation attorneys working in concert with our litigation technology professionals. Nutter is focused on providing creative, agile, and cost effective eDiscovery solutions to our clients starting from preservation at the initial anticipation of litigation through production, retention, and, ultimately, destruction.

**Our Team**

Our multidisciplinary team understands the ever-expanding universe of data and the technical, legal, and financial challenges it presents. Nutter has a deep bench of litigation attorneys with extensive experience handling complex eDiscovery matters. Nutter’s litigators draw on the substantial technical expertise from the firm’s technology professionals, including multiple Certified E-Discovery Specialists (CEDS) with the Association of Certified E-Discovery Specialists (ACEDS).

**What We Do**

Our experienced litigation technology professionals can handle Electronically Stored Information (“ESI”) internally from collection to production through our advanced technology platforms, or work with our vendors and our clients to craft a tailored approached to ESI management. We have extensive experience in managing all aspects of the eDiscovery process, including identification, preservation, collection, review and analysis, and production. Our data hosting infrastructure provides secure access to clients and external parties at a cost significantly below vendor market rates.

The Nutter team, led by Seth Berman, leverages its experience with a wide array of workflows and advanced technology, including technology-assisted review, to maximize efficiency in the document review process with strategies that are defensible in court. We design meticulous quality control procedures when managing a team of expertly trained contract lawyers and advanced forensic data analysis firms, to ensure an effective and efficient process.

Nutter approaches each new eDiscovery challenge with practical and defensible processes to ensure a streamlined and cost-effective outcome.