



## Howard P. Goldberg

*Partner*

*Boston*

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### PRACTICE AREAS

Aviation Litigation  
Business Litigation  
Cannabis  
Class Action Litigation  
Delaware Corporate Litigation  
eDiscovery + Information Management  
Environmental Litigation  
General Liability  
Per- and Polyfluoroalkyl Substances (PFAS)  
Real Estate Litigation  
Strategic Counseling + Risk Management  
Transactional

### EDUCATION

Boston University School of Law, JD, 2002  
University of Pennsylvania, BA, 1999

### BAR ADMISSIONS

Massachusetts, 2002  
US District Court, District of Massachusetts, 2002  
US Court of Appeals for the First Circuit, 2002

### Overview

Howard Goldberg is an experienced trial lawyer who leads the firm's Business Litigation Practice. Howard has extensive experience helping clients resolve their most complex, high-stakes business and commercial disputes related to contractual, trademark and copyright, privacy and cybersecurity, real estate and general commercial matters. Howard also advises companies on cybersecurity preparedness, incident response and regulatory compliance, and represents companies in disputes surrounding data breaches and cybersecurity issues. He serves as a business partner for our clients, seeking efficient, cost-effective solutions for our constituent's challenges—whether in a courtroom or otherwise. In addition to his extensive litigation experience, Howard is committed to helping companies find the most effective solutions to minimize any business disturbance. He collaborates with clients to identify the best path to victory, and when litigation becomes necessary, Howard will serve as a skilled advocate for your business.

Howard also advises clients on per-and polyfluoroalkyl substances (PFAS) issues, offering guidance on TSCA (Toxic Substances Control Act) reporting and providing strategic advice on a wide range of regulatory, compliance and risk management matters. His in-depth knowledge of PFAS regulations allows him to assist clients in navigating the complex and evolving legal landscape, including addressing potential environmental liabilities and preparing for future regulatory developments. Howard also counsels clients on proactive measures to mitigate risks associated with PFAS, ensuring they remain compliant while protecting their business interests.

Howard also chairs MG+M's Information Technology and eDiscovery committee, and has significant experience advising clients on eDiscovery best practices, including legal holds, data preservation, and production, working with eDiscovery vendors and consultants, and managing eDiscovery in anticipation of, during and after litigation.

Howard is admitted to practice in Massachusetts, the US District Court for the District of Massachusetts and the US Court of Appeals for the First Circuit. He has also been admitted *pro hac vice* in cases across the country. Howard is a member of the American, Massachusetts and

Boston Bar Associations, and serves as the chairperson of the Board of Directors of SPUR, a Marblehead-based nonprofit established to cultivate a community of doers through an array of multi-generational volunteer activities and youth enrichment programs in the North Shore. Howard lives in Marblehead with his wife and two sons. He enjoys golf, Boston sports, and coaching his kids' flag football, basketball and baseball teams.

### Experience

- + In the US Federal Court for the District of Connecticut, obtained dismissal of a class action lawsuit alleging violations of federal trademark laws and the consumer protection statutes of right different states on behalf of a national retail chain accused of selling gray market goods in the United States.
- + Won summary judgment for 3,000 employee consulting firm in breach of contract action where customer refused to comply with the terms of the Parties' contract. MG+M's client performed audit and consulting services for an international healthcare provider. The company turned to MG+M when its client refused to cooperate under the clear terms of their agreement.
- + Obtained verdict for one of the largest owners and managers of commercial real estate in the United States with a portfolio over 100 million square feet and with a total capitalization of more than \$31 billion, in a dispute with its partner over the development of a large, mixed-use project in Boston's Seaport District. The result allowed our client to gain control of the project.
- + Successfully represented a 200+ employee real estate development, investment construction and management company in litigation involving its lenders who were attempting to seize control of projects in Massachusetts, Florida, Georgia, New Hampshire, Louisiana and Texas.
- + Represented one of the nation's largest retail developers in negotiations with the City of Boston over the transfer of the lease for Faneuil Hall Marketplace. Successful resolution allowed our client to transfer the lease to a new developer.
- + Represented an international restaurant chain in connection with negotiations with the Massachusetts Department of Transportation concerning pylon sign usage on the Massachusetts Turnpike. MG+M worked with MassDOT and our client to resolve the dispute without resorting to litigation.
- + Served as trial counsel for component of case concerning Clean Air Act claims involving over \$500 million in potential damages. The claims involved Clean Air Act regulations concerning flaring devices and the Benzene Waste Operations NESHAPS (BWON). Howard also oversaw and coordinated discovery in the case which consisted of the review of over 30 million documents, the production of over 20 million pages of material, and the review and production of over 1.1 TB of technical data.

### Recognition

- + Thomson Reuters, *Super Lawyers Rising Star*, 2005 - 2007, 2009 - 2017

## Howard P. Goldberg

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- + Rising Star by Boston Magazine

### **Involvement**

- + SPUR, Board Chairperson
- + Massachusetts Bar Association, 2002–present
- + Boston Bar Association, 2002–present