



MG+M's Business Litigation group partners with clients to identify goals for disputes that mesh with clients' visions for their companies. MG+M offers start-to-finish business counseling, advising businesses throughout the United States and Europe on a full spectrum of sophisticated disputes and, when necessary, litigating their most complex, high-stakes business conflicts. Combining a pragmatic approach with extensive skills, we devise strategies that enable and support our clients' business goals.

Our team has successfully litigated cases involving innumerable types of matters, including complex contracts;

antitrust claims; M&A fallout; shareholder disputes; securities actions; construction litigation; intellectual property; financial institution litigation; indemnity disputes; employment and non-compete litigation, investigation and counseling; bankruptcy claims; real estate disputes; and environmental litigation.

MG+M analyzes every aspect of a dispute, including conducting and/or managing internal and government investigations, and advises companies with an eye towards efficiently resolving matters to help our clients focus on their business, instead of litigation. We provide efficient and creative ways to minimize risk—both in the litigation/investigation and transactional context—as a matter proceeds. Working with clients as business partners, MG+M constantly analyzes the best path forward, up to and including litigation. When cases proceed to trial, MG+M prepares cases using our team of trial-tested attorneys and professionals.

Additionally, our internal and government investigation experience includes employment-related investigations, internal fraud and risk audits, and False Claims Act, DOJ, State Attorney General and other law enforcement or government investigations. We also represent businesses in mission-critical patent, trademark, and copyright disputes before government agencies and in federal trial and appeals courts. We protect a wide range of well-known brands, as well as advanced computer, telecommunications, medical device, and other technologies.

Practice Chair Howard Goldberg also manages the firm's [eDiscovery practice, and handles eDiscovery, cyber-security and information governance](#) for some of the largest aerospace, energy, food service, real estate development and manufacturing companies in the world. MG+M's extensive experience and team approach allows to mobilize our teams quickly and provide advice with minimal business disturbance.

## 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.
- + 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.
- + 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.

# Business Litigation

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- + 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.
- + Won a plaintiff's verdict in a \$30 million breach of contract arbitration for a global facilities management company.
- + Secured favorable bench trial ruling for the defense (later affirmed on appeal) on behalf of an international pulp and paper company in a matter in which the plaintiff alleged that it had formed a contract with the defendant to buy railroad cars and later lost out on a large commission when the railroad cars were sold to another buyer.
- + Obtained a defense verdict following a week-long trial on an attorney's lien claim for over \$6 million in fees.
- + Obtained a multimillion-dollar recovery for a utility company in a suit to recover response costs from a chemical manufacturer that had caused significant environmental contamination at the sites of several former manufactured-gas plants owned by the utility.
- + Secured favorable settlement for a regional public utility company in a \$20 million arbitration dispute related to the construction of numerous solar fields.
- + Favorably settled a fraud and breach of contract action against a national university for failure to pay millions of dollars to its food service provider following a successful appeal to the Third Circuit.
- + Defended an international food service management company in numerous federal and state False Claims Act investigations.
- + Defended a major energy company in a Massachusetts False Claims Act investigation.
- + Defended a facilities management company through trial and appeal in a \$2 million fraud and breach of contract case in which a former customer alleged that our client's on-site manager improperly steered renovation business to a general contractor with which the manager had a financial interest.
- + Represented a resort/hotel/casino operator in a \$100 million breach of contract and fraud dispute with its construction manager.
- + Represented a major energy company in a \$250 million contract dispute with an ethanol manufacturer.
- + Represented a public utility company in a dispute with joint venture partners over the construction of a transmission line.
- + Defended a regional restaurant chain in federal criminal and civil investigations related to labor practices.
- + Advise a leading university in connection with a criminal grand jury subpoena.
- + Working with Dutch co-counsel, secured a €42,260,044 judgment against a global investment management firm in a case in the District Court of Amsterdam, the Netherlands, alleging breach of contract, breach of fiduciary duties and fraud.
- + Advise a leading university on applicability of insurance coverage to government investigation.
- + Regularly advise commercial landlord regarding tenant issues, including improvements, vacating premises, lease abandonment, and failure to pay rent.
- + Advised a non-profit during an investigation by the Massachusetts Attorney General regarding corporate structure, use of over \$10 million in charitable assets, and general governance.
- + Secured summary judgment in favor of a leading chemical company in a decade-long Illinois Trade Secrets Act case involving claims of tortious interference with contract and business relationships.