

Shareholder | Providence, RI | Boston, MA

Daniel J. Procaccini

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Overview

Dan Procaccini is a litigator who clients call upon to protect their rights and champion their interests. Dan is anchored in Rhode Island but has handled myriad controversies in venues throughout New England and across the country. A sharp and respected advocate, he is confident representing clients in any setting, whether in a courtroom, boardroom, or legislative chamber. Major areas of emphasis in his practice include business disputes, product liability actions, employment lawsuits, intellectual property conflicts, complex land use contests, and high-stakes constitutional challenges.

The richness of Dan's professional background is one of his greatest strengths. For example, Dan has:

- Defended a United States aircraft engine manufacturer in product liability and wrongful death actions alleging strict liability claims of design defect and failure to warn;
- Represented multiple public companies in a variety of employment disputes, including claims of retaliation, discrimination, unlawful solicitation, breach of nondisclosure obligations, and misappropriation of trade secrets.
- Defended public agencies in complex litigation concerning eminent domain takings, inverse condemnation, and federal regulatory preemption.
- Spearheaded a multinational technology company's internal business investigation concerning potential illegal acts by a rogue employee;
- Served as trial counsel with a state-appointed special prosecutor in a high-profile, multi-defendant felony criminal prosecution;
- Pursued constitutional litigation in Massachusetts and Rhode Island posing novel legal questions of statewide significance.

Dan understands that each case is unique and demands a tailored approach. These versatile experiences provide a strong foundation for crafting creative legal strategies, and Dan works closely with his clients to understand their objectives so he can provide effective, efficient, and honest advice.

Maintaining strong community ties is another core principle of Dan's practice. He is a panel attorney for Rhode Island's federal civil pro bono program and has provided hundreds of hours of free legal aid for non-profit organizations, incarcerated individuals, and low-income clients with urgent needs. He is active on several court committees and chairs the state bar association's Federal Bench-Bar Committee. He also serves on the board of directors for several Rhode Island non-profits focusing on the performing arts and education.

In addition to maintaining his practice, Dan serves as the Firm's Assistant General Counsel, serving as an internal legal advisor for his colleagues on matters of ethics, risk management, and professional responsibility.

Prior to returning to Rhode Island and joining AP&S, Dan practiced with an international law firm headquartered in Boston. He also

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served as a law clerk for the Honorable William E. Smith in U.S. District Court for the District of Rhode Island, and the Honorable Francis X. Flaherty, Associate Justice of the Rhode Island Supreme Court.

Experience

- Representing financial services firm in various employment disputes, including claims of unlawful solicitation, disability accommodation, breach of nondisclosure obligations, and misappropriation of trade secrets.
- Serves as outside general counsel for litigation and investigations for a client with more than $57 million in annual revenue.
- Successfully represented general contractor sued in a prevailing wage dispute by a Rhode Island state agency, achieving dismissal of all claims in a case of first impression concerning the subject matter jurisdiction of the Rhode Island Superior Court.
- Defending a United States aircraft engine manufacturer in product liability and wrongful death actions alleging strict liability claims of design defect and failure to warn.
- Principally responsible for leading and resolving an internal investigation for a private university following allegations related to the improper release of student records and health care information.
- Successfully resolved a shoreline property rights dispute for a national real estate development company, including achieving the dismissal of substantial claims early in the proceeding.
- Represented the Commonwealth of Massachusetts at trial as a special assistant attorney general to prosecute felony charges arising out of the in-custody death of a patient detained in a state hospital.
- Spearheaded a multinational technology company's internal business investigation concerning potential Foreign Corrupt Practices Act violations by a rogue employee.
- Represented several independent state agencies in various lawsuits alleging wrongful or uncompensated takings of private land for public use.
- Secured victory following a Superior Court trial for members of a nonprofit who sued the organization's board of directors and third parties for breach of contract, breach of fiduciary duty, and aiding and abetting a breach of fiduciary duty.
- Successfully resolved state attorney general investigation into health care organization concerning alleged violations of consumer protection statutes, health regulations and the state false claims act.
- Principally responsible for representing a group of Massachusetts high school graduates alleging unconstitutional discrimination in the award of merit-based scholarships to state colleges and universities, securing statewide regulatory reform of award criteria to remedy an equal protection violation

Credentials

Practices

- Life Sciences
- Land Use
- Litigation
  - Complex & Business Litigation
  - Intellectual Property Litigation
  - Products Liability/Toxic Tort/Mass Torts
- Intellectual Property

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- Labor & Employment

Education

- Boston College Law School (J.D., 2011)
- Loyola University Maryland (B.A., 2008, *summa cum laude*, Phi Beta Kappa)

Admissions

- Rhode Island
- Massachusetts
- U.S. District Court, District of Rhode Island
- U.S. District Court, District of Massachusetts
- U.S. Court of Appeals for the First Circuit
- U.S. Supreme Court

Honors

- Legal 500, US Elite: New England, 2026, Commercial Disputes.
- Selected by his peers for inclusion in the 2026 & 2027 edition of *The Best Lawyers in America®* in the field of Commercial Litigaiton.
- Named as a *Rhode Island Rising Star* 2025 – 2026, by *Super Lawyers*.
- Named 40 Under Forty, Providence Business News.
- Professional Excellence in the Law, Commercial Litigation, *Rhode Island Monthly*, 2026.
- Selected as Best Lawyers: Ones to Watch, 2021 -2025 in the field of Commercial Litigation.
- Senior Articles Editors, Boston College Journal of Law and Social Responsibility
- Loyola University Carrell Medalist in English
- Loyola University Medalist in Political Science
- The Hon. Robert J. Gerstung Award for Commitment to Law
- Top Ten Oralist, Wendell F. Grimes Moot Court Competition

Seminars/Publications

Seminars

- AP&S Annual Ethics Seminar (2022, 2024)
- Panelist, Putting Your Client Under the Microscope: Best Practices in Business Investigations, RIBA Annual Meeting (2017)
- Panelist, What We Have Here is a Failure to Communicate: Assessing the Credibility of Non-English Speaking Witnesses RIBA Annual Meeting (2011)

Publications

- Co-Author, ***Pricing Algorithms Confront New Antitrust Issues After Instacart***, Bloomberg Law (June 2026).
- Co-Author, ***Fix the Trade Secret Pleading Problem Through Local Amendments***, Bloomberg Law (March 2026).
- Co-Author, ***Keeping Trade Secrets a Secret Depends on Which Court You Choose***, Bloomberg Law (November 2025).

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- Co-Author, *SEC Enforcement Year in Review: Actions and Issues from 2016*, The Investment Lawyer (January 2017)
- Co-Author, Massachusetts Chapter, *Business Torts: A 50 State Guide*, Wolters Kluwer (ed. 2015–2017)
- Co-Author, *RICO Indictment of NECC Executives for Acts of Second-Degree Murder: An Unprecedented Approach to Regulatory Violations*, Foley Hoag Business Crimes Perspectives (Jan. 26, 2015) (selected as JD Supra 2016 "Top Read")
- Co-Author, *Johnson v. SmithKline Beecham: A Textbook Application of Corporate Citizenship Principals,* Legal Backgrounder Vol. 29, No. 10, Washington Legal Foundation (2013)
- What We Have Here is a Failure to Communicate: An Approach for Evaluating Credibility in America's Multilingual Courtrooms, 31 B.C. J. OF LAW & SOC. RESPONSIBILITY 163 (2011)
- First, Do No Harm: Tort Liability, Regulation and the Forced Repatriation of Undocumented Immigrants, 30 B.C. J. OF LAW & SOC. RESPONSIBILITY 475 (2010)

Professional Affiliations

- Chair, Rhode Island Bar Association, Bench/Bar Committee
- Leadership Rhode Island, Sigma II Class (2022)
- Member, Rhode Island Bar Association
- Member, Rhode Island Chapter, Federal Bar Association

In The Community

- Board Member, Inspiring Minds.
- Greater Providence Chamber of Commerce, Transportation Committee, (Nov. 2022 – present).
- Council Member, U.S. District Court for the District of Rhode Island Court Advisory Council (January 2023 – present).
- Vice President, Board of Directors, The Wilbury Theatre Group (2016 – present).

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