



# Joseph Avanzato

Shareholder, Providence, RI

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## PRACTICE AREAS

Intellectual Property

Litigation

Health Care Litigation

Complex & Business  
Litigation

Appellate

Bankruptcy,  
Receivership &  
Creditors' Rights

Intellectual Property  
Litigation

Health Care

Health Care Litigation

Construction

## EDUCATION

American University,  
Washington College of  
Law (J.D., *summa cum  
laude*, 1988)

Cornell University (B.A.,  
1981)

## ADMISSIONS

Rhode Island

Massachusetts

U.S. District Court,  
District of Rhode Island

## OVERVIEW

Joseph has achieved notable success for his [commercial litigation](#), [construction](#), [bankruptcy/creditors' rights](#), [health care](#) and technology clients—and recognition by his peers and legal organizations for top performance—by working to understand clients' underlying business issues and goals, and then tailoring innovative solutions to their complex problems. His client-focused approach also extends to numerous Asian clients, helping guide them through the American legal system. Having worked in Japan and other Asian countries for four years, Joseph is attuned to cross-cultural issues and conversant in Japanese.

The veteran trial and appellate litigator has successfully handled multi-million dollar cases, including cases involving constitutional issues, for varied businesses in federal, Rhode Island and Massachusetts courts. He has also represented clients in major bankruptcy and receivership cases (including clients acquiring assets in insolvency cases), and often advises clients on structuring complex transactions to minimize the risks of potential bankruptcy.

## REPRESENTATIVE MATTERS

- Representing a leading construction services company in multi-million dollar takings dispute in federal court.
- Successfully represented multinational corporation in multi-million dollar trade secret litigation in federal court.
- Successfully represented multi-national company in defending multi-million dollar construction claims, including obtaining judicial avoidance of mechanic's liens.
- In \$60 million litigation, defended charitable corporations that had been sued, in three

U.S. District Court,  
District of  
Massachusetts

U.S. District Court,  
District of Connecticut

U.S. Court of Appeals for  
the First, Fourth, Fifth,  
and District of Columbia  
Circuits

U.S. Supreme Court

separate lawsuits, for alleged undue influence and fraud in connection with charitable donations that had been made to the charitable corporations via will, trusts and lifetime gifts. Obtained summary judgment on behalf of AP&S' clients in the trial court in all three cases and successfully defended those judgments on appeal before the Rhode Island Supreme Court.

- Successfully represented major health insurer in multi-million dollar antitrust litigation.
- Successfully represented the Governor, Treasurer and Employees' Retirement System of Rhode Island in defense of constitutional challenges to the state's pension statute.
- Successfully represented major unsecured creditor in multi-million dollar cross-border insolvency that involved U.S. bankruptcy case (E.D.N.Y), receivership in Israel, litigation in federal court (S.D.N.Y), and litigation in Thailand.
- Numerous successful representations of secured and unsecured creditors in various receivership and bankruptcy cases.
- Successful representation of a state agency that resulted in recovery of a significant amount on a defaulted \$28 million commercial loan to a bio-medical start-up company.

#### SEMINARS / PUBLICATIONS

- Speaker at Seminar on "E-Commerce in Rhode Island – Legal & Business Issues."
- Speaker at Seminar on "Law of the Internet in Rhode Island."
- Served as executive editor, *American University Law Review*.

#### HONORS

- Selected by his peers for inclusion in the 2007–2024 editions of *The Best Lawyers in America®* in the fields of Bankruptcy and Creditor-Debtor Rights and Appellate Law.
- *Best Lawyers'* 2022 Lawyer of the Year, Bankruptcy and Creditor-Debtor Rights.
- *Best Lawyers'* 2019 Lawyer of the Year, Appellate Practice, Providence.
- Professional Excellence in the Law, Bankruptcy and Workout, *Rhode Island Monthly*, 2019, 2020 and 2021.
- *Best Lawyers'* 2018 Lawyer of the Year, Bankruptcy, Providence.
- *Best Lawyers'* 2017 Lawyer of the Year, Appellate Practice, Providence.
- Selected as a Rhode Island *Super Lawyer*, 2007-2016.
- AV rated by *Martindale-Hubbell*, its highest rating for attorneys.
- Served as judicial law clerk to Judge Joseph J. Longobardi, Jr. of the United States District Court for the District of Delaware.
- Summa cum laude graduate and valedictorian, American University, Washington College of Law.

#### PROFESSIONAL AFFILIATIONS

- Member, Rhode Island Bar Association.
- Member, Federal Bar Association.
- Member, Japan-America Society of Rhode Island.