



# Michael R. Brown

Counsel, Boston, MA

Call: 617.482.0600 | Fax: 617.482.0604 | Email: [mbrown@apslaw.com](mailto:mbrown@apslaw.com)

## PRACTICE AREAS

### Litigation

Complex & Business  
Litigation

Insurance Coverage &  
Defense

Environmental

Construction

## EDUCATION

Suffolk University School  
of Law (J.D., 2005)

College of the Holy Cross  
(B.A., 1999)

## ADMISSIONS

Massachusetts

Connecticut

New Hampshire

New York

U.S. District Court, District  
of Massachusetts

U.S. District Court, District  
of New Hampshire

U.S. District Court,  
Southern District of New  
York

## OVERVIEW

Michael is Counsel in the Boston office and is a member of the Litigation Department. He helps clients with a variety of commercial litigation matters, including contract claims, leasing disputes, and negligence claims. He has extensive experience representing and negotiating for businesses involved in commercial disputes, and defending professionals against malpractice claims. Michael also provides litigation and risk-management services, and counsels his clients on avoiding and efficiently resolving litigation.

Michael has spoken and written on various topics. He is actively involved in the ABA's Tort and Insurance Practice Section and enjoys leadership positions on several committees. He is actively engaged in the community and local bar associations.

## REPRESENTATIVE MATTERS

- Obtained dismissal for condominium board of directors of complex breach of fiduciary duty and corporate "freeze out" claims brought by large real estate developer.
- Won a favorable ruling at arbitration on behalf of a national banking client in a commercial lease dispute.
- Defended and achieved favorable settlement of a putative class action on behalf of a national owner of manufactured home communities.
- Obtained dismissal on behalf of a condominium board of trustees of claims alleging discrimination and other tortious conduct.
- Obtained dismissal of wrongful death and conspiracy claims brought against physician and other medical providers.
- Obtained dismissal of claims against condominium association arising out of violations of state law and zoning ordinances.
- Defended a Massachusetts medical device start-up against shareholder fraud

U.S. District Court, Eastern  
District of New York  
U.S. Court of Appeals for  
the First Circuit

claims. Assisted the company navigate the litigation while it simultaneously progressed through funding rounds, requiring diligence in the litigation and sensitivity to the client's business needs.

- Served as coverage counsel to a global insurance company whose insured was targeted in a massive antitrust lawsuit. Advised the insurer on coverage and strategy issues in the multi-tower litigation and participated in multi-lateral settlement negotiations among the coverage group.
- Defended and achieved favorable settlement on behalf of former CEO of large staffing company against breach of contract claim from purchaser of company.
- Advised an insurer client on claims from multiple insureds arising out of the mishandling of FEMA post-hurricane relief funds. Coordinated and developed a uniform insurer response to claims arising from multiple claimant contracts.
- Defended a large law firm and its principals against a malpractice action alleging improper corporate and tax advice. Used expert witness testimony to establish the propriety of the law firm's advice and achieved a favorable result for the firm.
- Served as national coordinating counsel for large products liability defendants. Directed and managed outside counsel, devised unique strategies for cases pending nationwide, helped develop clients' expert witness program, and coordinated discovery in multiple cases across the country. Successfully negotiated global settlement agreements encompassing multiple lawsuits for his clients.

#### SEMINARS / PUBLICATIONS

- Liability Claims Against Architects & Engineers (New York CLE, March 2015).
- Cyber Liability & Data Breach from the Insurance Perspective (NH CLE, Sept. 2015).
- Refreshing or Creating Witness Recollection: Where is the Line? (ABA TIPS Newsletter 2016).
- Cyber Liabilities Continue to Grow (ABA TIPS/PODL Newsletter, Jan. 2016).
- Chapter 93A and Bad Faith Claims (BBA Seminar Moderator, May 2013).
- Social Media Defamation Claims (BBA Seminar Moderator, March 2013).
- Toxic Tort Claims, Nuts and Bolts (BBA Seminar Moderator, October 2012).

#### PROFESSIONAL AFFILIATIONS

- Member, American Bar Association (Tort & Insurance Practice Section) – Professional Liability Insurance Committee Vice-Chair.
- American Bar Association (Tort & Insurance Practice Section) – Insurance

Coverage Litigation Vice-Chair.

- New Hampshire Bar Association – Insurance Law Committee (2014 – 2017).
- Boston Bar Association – Litigation Steering Committee Member (2012 – 2014).

#### IN THE COMMUNITY

- Member, Board of Trustees, Corporate Secretary, Catholic Charities of the Archdiocese of Boston.
- Zoning Board of Appeals, Milton, MA
- Member, Holy Cross Alumni Lawyers Committee.
- Regis High School Alumni Society, New York, NY.
- Michael serves on several community organizations in his hometown outside of Boston.