



R. Bart Totten

Shareholder, Providence, RI

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PRACTICE AREAS

Intellectual Property
Litigation

Products Liability/Toxic
Tort/Mass Torts

Complex & Business
Litigation

Intellectual Property
Litigation

Construction

EDUCATION

University of Virginia
School of Law (J.D.,
1989)

University of Florida (B.S.,
with honors, 1986)

ADMISSIONS

Rhode Island

Massachusetts

Maine

U.S. District Court,
District of Rhode Island

U.S. District Court,
Eastern District of
Pennsylvania

U.S. District Court,
Southern District of

OVERVIEW

Bart Totten concentrates his practice on [complex commercial litigation](#). He has substantial experience representing clients before federal and state trial and [appellate courts](#) and working with in-house counsel on significant litigation matters. Bart's clients count on him for responsive and practical solutions to complex business problems. As a veteran trial lawyer, he has achieved notable success in a wide range of commercial disputes.

Bart is a trained industrial and systems engineer and brings deep understanding to highly technical issues. Bart serves as a member of the firm's Executive Committee.

REPRESENTATIVE MATTERS

- Bart represented the Rhode Island Economic Development Corporation (RIEDC) in a \$100 million claim brought by port developers, based on the RIEDC's rejection of their development plan. After a two-week arbitration under American Arbitration Association commercial arbitration rules, the arbitrator entered a defense award for his client.
- He defended the City of Woonsocket, Rhode Island, in a constitutional challenge to the city's eminent domain power, with a multimillion-dollar city drinking-water system at stake. After a bench trial, the court entered a judgment for the city, allowing it to continue its project and forestalling similar claims against other municipalities.
- Bart was the lead trial attorney in a two-week trial involving a significant real property dispute. An innovative legal defense strategy resulted in a trial verdict in favor of his client that was upheld on appeal to the Rhode Island Supreme Court.
- Bart represented a publicly traded national corporation in federal court litigation involving allegations of misappropriation of trade secrets and international interference with contract arising out of the hiring of a competitor's former employees. An aggressive litigation posture led to a very favorable resolution in mediation.
- Bart was the lead trial counsel in a commercial contract dispute involving claims to enforce a restrictive covenant against his client that would have effectively put the client out of business. After the close of the plaintiff's evidence at trial, Bart convinced the trial judge to dismiss the case.

Florida

U.S. Court of Appeals for
the First, Third and
Eleventh Circuits

SEMINARS / PUBLICATIONS

- Co-Author, State Law Chapter, Consumer Protection Law Developments II.
- Panel Speaker, RI Bar Association Annual Meeting.
- Author, ABA Journal on Antitrust Law.
- Author, Rhode Island Bar Journal.
- Author, ABA's Consumer Protection Law Developments (RI Chapter).

HONORS

- Selected by his peers for inclusion in the 2020 – 2024 editions of *The Best Lawyers in America*®.
- AV rated by *Martindale-Hubbell*, its highest rating for attorneys.
- Nominee, Rhode Island Bar Association Dorothy Lohmann Award for Public Service.
- Honors graduate in industrial and systems engineering, University of Florida.

PROFESSIONAL AFFILIATIONS

- Member, Rhode Island Bar Association.

IN THE COMMUNITY

- Jamestown Education Foundation Board Member, (2 terms).
- Big Brothers of Rhode Island (Former Advisory Board of Directors member and Big Brother; Former Chair, Corporate Campaign and Planned Giving Program).
- Former Director and executive committee member, Rhode Island Red Cross.