

Derek B. Domian

Counsel

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Derek Domian is a business litigator. He represents clients involved in a broad range of complex commercial, real estate, intellectual property, and professional liability disputes, often tackling cases that involve varying allegations of unfair business practices.

The clients he serves include executives, partnerships and joint ventures, commercial enterprises and nonprofits, in-house counsel, commercial landlords, real estate investors and developers, lawyers and law firms, and leasing professionals who are engaged in the real estate, retail, education, and multi-media industries.

He represents clients in state and federal courts at the trial and appellate levels, as well as before arbitrators, mediators, and regulatory bodies.

Accolades

- Massachusetts Super Lawyers Rising Stars, 2016

Affiliations

- Massachusetts Bar Association
- Member, Complex Commercial Litigation Section Council
- Editor, Complex Commercial Litigation Section Council Quarterly
- Citizens School Mock Trial Program
- Massachusetts Lawyers Clearinghouse

Admissions

- Massachusetts

Education

- University of New Hampshire (B.A., *summa cum laude*, 2001)
- Harvard Law School (J.D., *cum laude*, 2004)

Community

Derek actively supports pro bono clients in litigation and corporate counseling roles.

On behalf of a global organization devoted to combatting poverty, he successfully sued the federal government to promulgate rules addressing transparency in global resource extraction industries.

Derek also participates in legal clinics that provide representation to homeless and low-income clients on a number of matters impacting housing and personal welfare.

He has helped run the firm's Citizens School Mock Trial Program for local high school students as well.

Representative Matters

Defense of Legal Malpractice

Representation of national law firms in defense of malpractice and disciplinary claims of conflict of interest.

Retail Development Firm Disputes and Commercial Leasing Conflicts

Representation of major retail development firms in broad array of commercial, real estate, and leasing disputes, proactively resolving many disputes prior to litigation and disposing of lawsuits through settlement or trial. Help landlord clients resolve commercial leasing conflicts through negotiations, amendments, and settlements.

Outside General Counsel Services for Healthcare Trade Association

Representation of a large healthcare trade association on a range of business matters, including antitrust issues and corporate concerns. Advise the trade association's directors on a range of legal compliance and business matters. Help client to understand and resolve issues prior to litigation or after suit when necessary.

Public University Intellectual Property Technology Transfer License

Represented a major public university in defense of intellectual property rights under a technology transfer license. Secured a favorable settlement with a global energy company, including the recovery of intellectual property rights.

Law Firm Malpractice Claims

Representation of major law firms in federal and state courts against claims of malpractice, working with lawyers to resolve the allegations, preserve their reputation, and support their ongoing practices. Recently secured dismissal of multi-million dollar claims against national law firm asserted by non-client of the firm.

Hospital Contractual Dispute for Physician Groups

Represented a major hospital in connection with a contractual dispute between physician groups. Resolved the matter through a favorable settlement for client.

Media Company Dispute With Former CEO and Founder

Representation of a national media company in connection with a dispute implicating intellectual property, employment, partnership, and other concerns related to the departure of a former CEO and current limited partner and the launch of a competing business.

Publications

October 19, 2015

What's Market? Update: Litigation

March 11, 2015

As the Business Litigation Session Turns 15, We Celebrate the Court's Journey Through National Calamity, Local Drama and More