



**HOWARD P. BLATCHFORD, JR.**

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Howard Blatchford is a partner in the Litigation and Environmental Law Groups who also works on litigation matters with the Bankruptcy and Restructuring Group. His area of concentration is in the litigation of complex disputes, especially those involving commercial, corporate and bankruptcy related issues. He has substantial trial and appellate experience in state and federal courts. He has also served on the adjunct faculty of Northeastern University School of Law, where he taught a course on payment systems under the Uniform Commercial Code.

#### NOTABLE EXPERIENCE

- Succeeded in having a judgment vacated by the Supreme Judicial Court of Massachusetts in a case involving issues of first impression concerning the law of negotiable instruments and resulting in the abrogation of the federal holder in due course doctrine in Massachusetts.
- Successfully argued before the Supreme Judicial Court of Massachusetts, on behalf of landowners whose property had been taken by eminent domain, that the takings were unauthorized by law and should be vacated.
- Successfully defended a judgment before the United States Court of Appeals for the First Circuit involving the compromise of a former executive's claim for administrative priority in payment of amounts due him under a pre-bankruptcy severance agreement and a post-bankruptcy retention agreement.
- Argued before the United States Court of Appeals for the Fourth Circuit on behalf of claimants of the Dalkon Shield Claimants Trust in connection with the bankruptcy of the pharmaceutical enterprise A.H. Robins Co., Inc.
- Obtained the dismissal of claims arising under the Securities Exchange Act and the Uniform Securities Act seeking rescission of financing agreements for the purchase of securities for the asserted reason that the sellers of the securities were unregistered broker-dealers.
- Successfully defended a judgment in an appeal before the Massachusetts Appeals Court involving an award of stigma damages for land contaminated with hazardous waste.
- As co-counsel in a jury trial in the United States District Court, successfully defended a national agricultural cooperative in a case involving claims that a former pesticide formulating facility had caused environmental contamination of land.
- Defended a case before a jury in the United States District Court involving royalty claims and trademark infringement claims under the Lanham Act.
- Successfully tried a case for the plaintiff in the United States Bankruptcy Court involving construction claims over failed roof and window systems in a commercial office building owned by a Chapter 11 debtor.
- Successfully tried the claims of a metal refinery for breach of a forward contract before a jury in the United States District Court.

- Represented the Liquidating Supervisor in United States Bankruptcy Court litigation against the former investors, management and legal counsel of an Internet utility reseller involving various claims, including for the enforcement of financing agreements, breach of fiduciary duty and professional malpractice.
- Served as co-counsel in partition proceedings in the Massachusetts Land Court, resulting in the successful assertion of setoff rights by tenants in common who opposed partition of the land on which a commercial office building was situated.
- Defended an estate plan as co-counsel in will contest proceedings in the Massachusetts Probate and Family Court involving issues of undue influence and lack of mental capacity, resulting in withdrawal of the petition prior to trial.
- Represented vessel owners and claimants in various admiralty and maritime matters including maritime lien enforcement, ship mortgage, marine insurance issues, and related issues concerning goods shipped by sea.

## BAR ADMISSIONS

- Commonwealth of Massachusetts
- United States District Court, District of Massachusetts
- United States Court of Appeals for the First, Fourth and Fifth Circuits
- Supreme Court of the United States

## MEMBERSHIPS

- American Bar Association
- Boston Bar Association
- Essex County Bar Association

## EDUCATION

- Boston University, Master of Laws in Banking and Financial Law, 1997 (concentration in Securities Regulation)
- Hofstra University, Juris Doctor, 1980
- Tufts University, Bachelor of Arts, 1977

## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "SJC Ruling in Chandler v. County Commissioners of Nantucket: Land-Taking Attempt for Use Other Than Roadway," Massachusetts Bar Institute Section Review, Vol. 5, No. 3 (2003)
- "Stigma Damages in Environmental Litigation," Presentation before the Boston Bar Association, Committees on Environmental Litigation and Solid Waste (1996)

## CIVIC INVOLVEMENT

- Former Member, Zoning Board of Appeals, Gloucester, Massachusetts