



Duane Morris' **BOSTON OFFICE** offers a diversified practice to a wide range of clients in New England and beyond, from long-established businesses to those in newly emerging industries. With the resources of a global law firm, our Boston lawyers represent multinational corporations, regional middle-market companies and individuals.

**CHAMBERS USA**

- ▶ **CHAMBERS USA 2018** ranked Duane Morris among the top firms in Massachusetts for Bankruptcy/Restructuring.
- ▶ **PAUL D. MOORE** earned the highest rating of Band 1 among Massachusetts bankruptcy attorneys.



**U.S. NEWS-BEST LAWYERS**



**U.S. NEWS-BEST LAWYERS BEST LAW FIRMS 2019** recognized the Boston office in the areas of Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law.

**HARVARD BUSINESS SCHOOL**

Second HBS case study of the firm, entitled "Duane Morris: Collaborating for Growth," was part of the **HARVARD BUSINESS SCHOOL** curriculum and made available to business schools around the world for course study.



**MASSCHALLENGE BOSTON** "Duane Morris works with our portfolio of 128 startups each year across a broad set of practice areas—from early stage incorporation to complex IP and financing issues. Duane Morris' support and their team's breadth and depth of experience has enabled our companies to be more successful, more quickly."

**Leo Guyshan, Program Director**  
MassChallenge Boston

**COMMUNITY INVOLVEMENT**

**BOSTON ORGANIZATIONS WE SUPPORT**

- ▶ **Volunteer Lawyers for the Arts:** Attorneys represent entrepreneurs, artists and inventors in various business related and corporate governance related issues as well as in securing intellectual property rights to their creations.
- ▶ **Greater Boston Legal Services:** More than 60 million Americans live in poverty and qualify for free legal assistance. Duane Morris attorneys represent low-income Bostonians pro bono in a myriad of civil legal issues including homeless prevention.
- ▶ **Harvard Veterans Law Clinic:** Attorneys assist veterans and their families with disability and benefits appeals as well as petitioning to upgrade improper or inequitable military discharges. Our work recognizes the sacrifices these men and women have made for the United States, and helps solve significant problems that have arisen in their lives as a result of their service.
- ▶ **Lawyers for Children America:** Children are the most legally under-represented and vulnerable members of society. Duane Morris attorneys serve as guardian *ad litem*, advocating for children who have been abused and/or neglected in dependency, custody and related foster care proceedings.
- ▶ **American Cancer Society:** Our Boston office assembles a team each year to participate in Making Strides of Boston, a breast cancer fundraiser and awareness walk. We have consistently raised significant funds for the organization.
- ▶ **The Institute of Contemporary Art:** Duane Morris acted as construction counsel in drafting and negotiating contracts for the watershed project in East Boston.

"Duane Morris' diligent efforts and tremendous insights into bankruptcy law and the reorganization process gave CrossHarbor the advantage it needed to be successful in its efforts to acquire Yellowstone Club. The case was extraordinarily complicated and contentious, with a number of twists and turns along the way. The attorneys at Duane Morris were always a step ahead, and we were ultimately successful thanks to the guidance and efforts of the Duane Morris team."

**Samuel T. Byrne, Managing Partner**  
CrossHarbor Capital Partners LLC

## EXAMPLES OF OUR WORK

### CORPORATE DEAL MAKING

► Represented **BALCHEM CORPORATION** in connection with its acquisition of Performance Chemicals & Ingredients Company (d/b/a SensoryEffects), a privately held supplier of customized food and beverage ingredient systems, for a purchase price of \$567 million in cash. In conjunction with that transaction, the team also represented Balchem in connection with the negotiation, documentation and closing of a \$450 million syndicated senior credit facility obtained by Balchem to finance the acquisition, which was led by Bank of America, NA and arranged by Merrill Lynch, Pierce, Fenner & Smith Incorporated.

### LITIGATION AND NEGOTIATING

► Represented **DICERNA PHARMACEUTICALS, INC.** against claims of trade secret misappropriation brought by Alnylam Pharmaceuticals, Inc. a competing pharmaceutical company. Dicerna alleged the lawsuit was brought for the ulterior purpose of interfering with their business and asserted counterclaims for abuse of process, tortious interference and unfair trade practices. The counterclaims survived three rounds of dispositive motion practice. The case was settled on the eve of trial.

### INTELLECTUAL PROPERTY

► Represented petitioners **METRICS, INC.** and **JOHNSON MATTHEY, INC.** before the U.S. Patent and Trademark Office in an *inter partes* review of patents covering Bausch & Lomb's ophthalmic drug Prolensa. The Patent Trial and Appeal Board granted the petition, finding the patent claims invalid as obvious in view of the prior art.

### LEADERS IN BANKRUPTCY

► Acted as court-appointed chapter 11 trustee overseeing the bankruptcy and liquidation of the **NEW ENGLAND COMPOUNDING CENTER**. As a result of the proceedings, a \$200 million settlement was reached. The judge presiding over the case, Judge Henry J. Boroff, was quoted as saying, "This plan and its associated trust agreements are the best that could have been achieved for the hundreds of people for whom there could be no full compensation. And that this is, in my view, the highest and best use of the Bankruptcy Code ..."

### EMPLOYMENT AND IMMIGRATION

► The Boston office represents businesses and health and educational institutions in employment litigation matters, including the defense of employment discrimination cases, wrongful discharge cases, wage and hour claims, employment contract matters and restrictive covenant litigation. In addition to employment litigation defense, the office counsels firm clients on employment matters, including the preparation of human resource policies and handbooks, sexual harassment and other employee investigations, hiring decisions and reductions in force. The office also performs harassment prevention and other personnel trainings.

### CONSTRUCTION AND REAL ESTATE

► Our Boston Construction attorneys represented a large regional utility construction contractor in the negotiation and drafting of EPC and CM-At Risk contract documents in connection with several significant electric transmission line projects across the Southeastern and Midwestern United States.



"Rick Ball and his team at Duane Morris worked across practice areas including IP, Regulatory and Trial to assure that FDA approved a shared sodium oxybate REMS that complied with FDA regulations and did not infringe the Jazz Orange Book patents. The team approach to solving complex legal and business problems is a hallmark of working with Duane Morris."

**Poonam Kumar**, Assoc. Vice President Regulatory & Analytical  
Wockhardt USA/Morton Grove Pharmaceuticals

## OFFICE LOCATIONS & REACH



### UNITED STATES

Atlanta  
Austin  
Baltimore  
Boca Raton  
Boston  
Cherry Hill  
Chicago  
Houston  
Lake Tahoe  
Las Vegas  
Los Angeles

Miami  
New York  
Newark  
Philadelphia  
Pittsburgh  
San Diego  
San Francisco  
Silicon Valley  
Washington, D.C.  
Wilmington

### INTERNATIONAL

Hanoi  
Oman  
Ho Chi Minh City  
Shanghai  
London  
Singapore  
Myanmar  
Taiwan

- Joint ventures in Myanmar, Oman, Shanghai and Singapore
- Alliances in Mexico and Sri Lanka
- Leadership position with international network of independent law firms

## FOR MORE INFORMATION, PLEASE CONTACT

**MICHAEL R. GOTTFRIED**

857.488.4212 | [mrgottfried@duanemorris.com](mailto:mrgottfried@duanemorris.com)  
Duane Morris LLP | 100 High Street, Suite 2400  
Boston, MA 02110-1724 | 857.488.4200

This publication is for general information and does not include full legal analysis of the matters presented. It should not be construed or relied upon as legal advice or legal opinion on any specific facts or circumstances. The invitation to contact the attorneys in our firm is not a solicitation to provide professional services and should not be construed as a statement as to any availability to perform legal services in any jurisdiction in which such attorney is not permitted to practice.