

MAINE

Local litigation firms

Highly recommended

Berman & Simmons

Bernstein Shur

Harvey & Frank

Pierce Atwood

Preti Flaherty Beliveau & Pachios

Recommended

Brann & Isaacson

Eaton Peabody

Norman Hanson & DeTroy

Petrucci Martin & Haddow

Rudman & Winchell

Verrill Dana

Local litigation stars

Lee Bals

Marcus Clegg & Mistretta
Complex Commercial Litigation, Insurance, Medical
Malpractice, Professional Liability

David Barry

Pierce Atwood
Civil Litigation, White Collar Crime

Peter Culley

Pierce Atwood
Civil and Criminal Litigation

Peter DeTroy

Norman Hanson & DeTroy
Business Litigation

Martin Einstein

Brann & Isaacson
Tax Litigation

Rebecca Farnum

Thompson & Bowie
Civil Litigation, Construction Law, Professional
Liability

Robert Frank

Harvey & Frank
Antitrust, Insurance, Intellectual Property

Elizabeth Germani

Germani Martemucci Riggle & Hill
Business Litigation, Insurance

James Goggin

Verrill Dana
General Commercial Litigation, Intellectual Property,
Products Liability

Gregory Hansel

Preti Flaherty Beliveau & Pachios
Complex Commercial Litigation

George Isaacson

Brann & Isaacson
Tax Litigation

William Kayatta

Pierce Atwood
Complex Commercial Litigation

James Kilbreth

Verrill Dana
Energy Litigation, Environmental Litigation

David King

Rudman & Winchell
Insurance, Products Liability

Bernard Kubetz

Eaton Peabody
General Commercial Litigation, Products Liability

George Marcus

Marcus Clegg & Mistretta
Bankruptcy

James Martemucci

Germani Martemucci Riggle & Hill
Civil and Criminal Litigation

John McCarthy

Rudman & Winchell
Appellate, Insurance

Robert Newton

Preti Flaherty Beliveau & Pachios
Products Liability

Gerald Petrucelli

Petrucci Martin & Haddow
Business Litigation

Jonathan Piper

Preti Flaherty Beliveau & Pachios
Arbitration, Media Law

William Robitsek

Berman & Simmons
Business Litigation

Peter Rubin

Bernstein Shur
Business Litigation, Products Liability

Steven Silin

Berman & Simmons
Products Liability, Professional Liability

Julian Sweet

Berman & Simmons
Professional Liability

Jeffrey Thaler

Bernstein Shur
Commercial Litigation, Environmental Litigation

Jeffrey White

Pierce Atwood
Antitrust, Civil and Commercial Litigation, Intellectual
Property

Future stars

David Austin
Eaton Peabody

Bradford Pattershall
Petrucci Martin & Haddow

Maine

Insurance and medical malpractice claims continue to dominate the litigation market in Maine. Since the real estate bubble burst, there is also more litigation involving contractors, architects, and other members of the building trade.

Highly recommended firms

Berman & Simmons

The personal injury lawyers at Berman & Simmons handle negligence, medical malpractice, product defect, and accident related claims for plaintiffs around the state. The firm has offices in Portland, Lewiston and Bangor. The firm also represents plaintiffs in complex commercial litigation and class action lawsuits.

Steven Silin's practice emphasizes serious personal injury, medical malpractice and products liability. He is an experienced trial attorney familiar with the substance and strategy behind practicing tort law. **Julian Sweet** focuses on medical malpractice issues, including general surgery, orthopedics, neurosurgery, obstetrics and gynecology, and internal medicine. He also regularly

litigation experience, Thaler has represented other attorneys and law firms around the state.

Harvey & Frank

In February 2009, Charles Harvey, one of the two founding partners at Harvey & Frank, passed away. **Robert Frank** remains actively litigating, but naturally the firm is not the same as it once was. Frank's practice will likely keep the firm competitive in the state, and his emphasis on antitrust and intellectual property matters will continue to be relevant. The firm's clients include Maine Health and the American Association of Retired Persons.

Pierce Atwood

Pierce Atwood handles complex commercial litigation for clients within Maine and

“Preti Flaherty Beliveau & Pachios has experience handling a wide variety of litigation, including media law. The firm has represented the Maine Press Association, Portland Press Herald, and WGBH Educational Foundation.”

handles personal injury actions in the state's rural counties. **William Robitzek's** practice includes personal injury, professional malpractice, and complex litigation. He has tried class actions as lead counsel or local trial counsel.

Bernstein Shur

Bernstein Shur has offices in Portland and Augusta, Maine as well as Manchester, New Hampshire. The firm handles litigation for both local and national corporations. The firm has a robust insurance defense practice, including life, health and disability insurance defense. The firm's employment defense practice is also active; attorneys in that group often represent clients before the state's Human Rights Commission. The firm also has a significant plaintiffs practice, which handles personal injury and medical malpractice work. The firm has extensive experience in energy, waste, and asbestos litigation. **Jeffrey Thaler** excels in environmental and natural resource litigation. He has acted as permitting counsel for wind and power, LNG, and wood to fuel projects. As part of his general

across the country. The firm's litigation group handles a wide variety of matters, including labor and employment, insurance, and securities litigation.

David Barry focuses his practice on business litigation, including white-collar criminal defense and government investigations. He advises clients on a variety of state criminal and regulatory investigations, including investigations relating to alleged environmental crimes, banking and financial fraud, health care fraud, false claims and *qui tam* actions, antitrust actions, and food and drug investigations.

Peter Culley has particular expertise in business and commercial disputes relating to products liability and professional malpractice claims. He has tried jury cases in every Supreme Court in Maine. **William Kayatta** has an active appellate practice, recently arguing against class certification in an interlocutory appeal before the Sixth Circuit Court of Appeals. He has also served as lead counsel in a series of ERISA class actions, and is representing an insurer in a series of class and *qui tam* proceedings. **Jeffrey White** has experience in a variety of

antitrust and trade regulation issues, including advising clients on the Sherman Act, Clayton Act, Robinson-Patman Act, Federal Trade Commission Act and analogous state statutes. He actively works on antitrust and unfair competition matters involving the Maine Attorney General's office.

Preti Flaherty Beliveau & Pachios

Preti Flaherty Beliveau & Pachios has experience handling a wide variety of litigation, including media law. The firm has represented the Maine Press Association, Portland Press Herald, and WGBH Educational Foundation. The firm has successfully defended national publications and broadcasters, including Forbes, Inc. in libel and defamation actions. Competitors also mention their work in medical malpractice.

Robert Newton primarily handles personal injury and products liability matters. He has acted as plaintiff counsel in a products liability action against DaimlerChrysler regarding their brake/shift technology, and as defense counsel in toxic tort actions. He also is experienced in physician and hospital malpractice. **Gregory Hansel** has a national practice focusing largely on complex business litigation. He has defended Visa U.S.A., Bayer, and Sherwin-Williams in an antitrust action, defeated class certification in an employment action on behalf of Bath Iron Works, and won an international arbitration award on behalf of an Irish corporation.

Recommended firms

Brann & Isaacson

Brann & Isaacson is a new entry in the Maine rankings this year. The firm has a local and national reputation in the direct marketing industry. Clients include L.L. Bean, Moneygram, New England Mail Order Association, and Scholastic Book Clubs.

Martin Einstein handles litigation regarding tax and trade regulation, and provides counsel to a wide client base of direct marketers. **George Isaacson** represents direct marketers and electronic merchants with respect to tax and regulatory matters, as well as matters of corporate litigation.

Eaton Peabody

Eaton Peabody handles all manner of litigation for local, national and Canadian clients. The firm has also represented numerous insurance companies in suits before the courts and state regulatory agencies. The firm is also familiar with alternative dispute resolution, including mediation and arbitration. Peers recognize **Bernard Kubetz** for his work in First Amendment law, including his defamation cases. The firm has offices in Augusta, Bangor, Brunswick and Ellsworth.

Norman Hanson & DeTroy

From its offices in Portland and Lewiston, Norman Hanson & DeTroy manages a range of civil litigation for local clients. The firm has defended medical malpractice claims against Maine Medical Center, the state's largest hospital. In the professional liability arena, the firm represents attorneys in disciplinary proceedings and also defends claims against real estate agents and brokers and insurance agents. The firm was also one of the first in the state to become involved in asbestos litigation. **Peter DeTroy** handles general civil litigation, including criminal defense, professional liability and professional insurance matters.

Petrucci Martin & Haddow

Petrucci Martin & Haddow has been active in Portland for 25 years. **Gerald Petrucci** practices a wide variety of business and commercial litigation. In June

2009, he argued before the Maine Supreme Judicial Court on behalf of plaintiffs that were asserting their riparian rights to have access to the navigable waters adjoining their land. The case clarified the amount of discretion that is granted to the Maine Department of Conservation under the Submerged Lands Act, and re-establishes the rights of access to which riparian owners are entitled under the law.

Rudman & Winchell

Located in Bangor, Rudman & Winchell represents local, national, and Canadian corporations, small businesses and individuals on all manner of litigation. **John McCarthy** has served as an Assistant Attorney General for the State of Maine and chief of the Attorney General's tort litigation section. He currently practices in a variety of fields, including personal injury, both as plaintiff and defense counsel, and products

liability. **David King** works on insurance, personal injury, and employment matters.

Verrill Dana

Verrill Dana has a strong reputation in securities law, and handles cases alleging breach of the securities laws and breach of fiduciary duty. The firm also handles a fair share of bankruptcy work, and has represented trustees, creditor's committees, and reorganizing businesses. The firm also has an active construction litigation practice, and represents owners, general contractors, subcontractors and other parties with respect to breach of contract, mechanic's liens, bid protests and claim disputes. **James Goggin** is experienced in litigating intellectual property disputes, including patent, copyright and trademark infringement suits. **James Kilbreth** specializes in environmental and energy matters.



WILLIAM ROBITZEK**BERMAN & SIMMONS**

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Bill Robitzek is a shareholder of Berman & Simmons. He has practiced at Berman & Simmons since 1979. He has established a formidable reputation as a trial lawyer throughout Maine. Over the course of his career, his cases have broken new ground in promoting the causes of the injured whether for physical or economic injuries. His practice includes significant personal injury, professional malpractice, and complex litigation. He has obtained some of the largest verdicts in the state. Bill has extensive experience in Class Actions as local trial or lead counsel.

Since 1995, he has been named by his peers to be listed in Best Lawyers in America for Bet-the-Company Litigation, Business Litigation and Personal Injury. *Chambers & Partners, USA*, the highly regarded lawyer referral directory, ranked him in band 1 and described him as "one of the great litigators of the state." He has been selected by *New England Super Lawyers* since 2007 for attaining a high degree of peer recognition and professional achievement. He is AV® Rated by Martindale-Hubbell.

Mr Robitzek is a current member of the Maine State Bar Association's board of governors, the Board of Bar Overseers of the Bar's Professional Ethics Commission, and the Maine Trial Lawyers Association. He is also a member of Litigation Counsel of America, the American Bar Association's Litigation and Business Law Sections, the American Board of Trial Advocates, and the American Association for Justice.

Mr Robitzek is a graduate of Williams College and Boston University School of Law.

He is admitted to practice before all courts in Maine and the United States District Court of Maine. He is well known in his role as a teacher and frequent CLE speaker on litigation-related seminars. His topics are typically in the area of litigation and include such issues as evidence, deposition taking, trial tactics, and openings and closings. Mr Robitzek serves as an adjunct professor at University of Maine School of Law, where he teaches trial practice courses.

STEVEN D SILIN**BERMAN & SIMMONS**

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Steven D Silin is a shareholder of Berman & Simmons. He has practiced at Berman & Simmons since 1983. He is one of the firm's most experienced trial attorneys and is actively involved in all aspects of the firm's statewide practice. He specializes in cases involving serious personal injury, medical malpractice and products liability. Mr Silin has successfully resolved hundreds of cases and obtained some of the largest jury verdicts in Maine.

Mr Silin is a graduate of the Northeastern University School of Law. After graduating from law school, he served as a law clerk to former Chief Justice Daniel E Wathen of the Maine Supreme Judicial Court.

Mr Silin was appointed as the chairperson of the Maine Supreme Judicial Court's Advisory Committee on Rules of Civil Procedure from 2005 through 2008. He is a past member of the Maine Supreme Judicial Court's Advisory Committee on Rules of Evidence and the Court's Advisory Committee on Gender, Justice and the Courts. He is a member and past president of the board of governors of the Maine Trial Lawyers Association and is a director of its Maine College of Trial Advocacy. Mr Silin has been a fellow of the American College of Trial Lawyers since 2002.

Mr Silin has been included in *Best Lawyers in America* since 1995 and is listed for personal injury litigation and medical malpractice law. In 2009, he was chosen as "Maine's Personal Injury Litigator of the Year" by *Best Lawyers in America*, the only personal injury litigator in Maine to receive this recognition. He is AV® Rated by Martindale-Hubbell. Mr Silin has been selected to *New England Super Lawyers* since 2007. He is ranked in band 1 in the area of General Commercial Litigation by *Chambers & Partners USA*, a highly regarded lawyer referral directory, and was commended for being "extremely well versed-in fact, probably one of the most knowledgeable in civil litigation."

Mr Silin is a current member of the Maine Bar Foundation, the American Board of Trial Advocates, the American Association for Justice, and the Maine State Bar Association. He is admitted to practice before all courts in the State of Maine and Massachusetts, the United States District Court of Maine, and the United States Court of Appeals for the First Circuit. Mr Silin is a frequent speaker on tort law and trial advocacy at legal education seminars and is the author of numerous legal articles.

JULIAN L SWEET**BERMAN & SIMMONS**

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Julian L. Sweet is a shareholder of Berman & Simmons. Mr. Sweet has practiced at Berman & Simmons since 1981. He specializes in the area of complex medical malpractice cases and personal injury cases involving serious injuries. Mr. Sweet's practice is statewide, and he regularly handles cases in Maine's rural counties, including York County, Oxford County, Washington County, Franklin County, Piscataquis County, and Aroostook County.

Mr. Sweet has extensive experience in representing plaintiffs in medical malpractice cases. In 2001, he obtained the largest verdict in Maine history for a medical malpractice plaintiff, \$9 million in Cumberland County Superior Court. In 2007, he obtained a \$7.9 million verdict in Androscoggin County Superior Court in a malpractice case involving a birth injury.

Since then, he has successfully handled medical malpractice cases involving general surgery, orthopedics, neurosurgery, obstetrics and gynecology, and internal medicine.

Mr. Sweet graduated from Bowdoin College in 1971. After working for seven years in social services, he attended Northeastern University School of Law, graduating in 1980. From 1980 until 1981, he served as a Law Clerk to Justice Frances Quirico on the Massachusetts Supreme Judicial Court.

Mr. Sweet is a member of the Maine Bar Association, the American Board of Trial Advocates, and the Academy of Catastrophic Injury Attorneys. In 2004, he was selected as a fellow in the American College of Trial Lawyers. Mr. Sweet has been listed in *Best Lawyers in America* since 1993 under criminal law, divorce law, and civil litigation. In 2008, he was recognized as one of the top 100 lawyers by *New England Super Lawyers*—the only plaintiff's lawyer in Maine to receive this honor. He has been ranked in band 1 in the area of General Commercial Litigation by *Chambers & Partners USA* and he is AV® Rated by Martindale-Hubbell.

Mr. Sweet is admitted to practice before all courts in Maine, the United States District Court of Maine, and the United States Court of Appeals for the First Circuit. He is a frequent lecturer on topics pertaining to medical malpractice. In 2009, he was invited to speak before the Maine Chapter of the American College of Surgeons. He is a co-author of the article, "The Presentation Of A Complex Personal Injury Case Can Be Streamlined And Enhanced Through The Use of Currently Available Technology."