

Business Litigation – Bench Trial

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Business Litigation

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Matthew H. Greene

Timothy J. Wadman

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Matthew Greene and Timothy Wadman recently obtained judgment in favor of their client following a four-day bench trial in the Business Litigation Session of Suffolk Superior Court (Boston, MA). The case involved claims for violation of the Massachusetts Uniform Securities Act (MUSA), G.L. c. 110A, sec. 410, and violation of G.L. c. 93A, sec. 11, in which the plaintiff alleged that the defendants engaged in unfair and deceptive business practices and made false statements and/or material omissions in connection with the sale of securities.

In its written Findings and Conclusions, the Court agreed with Attorneys Greene and Wadman’s argument that their client, legal counsel for a co-defendant limited liability company, did not commit a primary violation of MUSA, and did not incur secondary liability as a “control person” of the entity. Moreover, the Court accepted Attorneys Greene and Wadman’s argument that their client’s conduct in connection with the investment transaction did not rise to the level of an unfair or deceptive act or practice in violation of G.L. c. 93A. The Court entered judgment in favor of Attorneys Greene and Wadman’s client, as well as the other separately-represented co-defendants.