



## **JOHN D. FINNEGAN**

*Of Counsel*

Direct: 617.218.2065

Email: [jfinnegan@tbhr-law.com](mailto:jfinnegan@tbhr-law.com)

*"At Tarlow, Breed, Hart & Rodgers, we pride ourselves not only on our expertise in the law, diligence and responsiveness—all qualities that a good lawyer must possess—but also on anticipating issues that may arise in the future. Our familiarity with multiple disciplines allows us to evaluate our clients' circumstances from a broad perspective and to offer counsel on the most efficient and resourceful methods of addressing those issues."*

John joined the firm in 2001 and practices in the Litigation Group. John concentrates his practice in the areas of tax lien foreclosures and litigation, business litigation and creditors' rights in bankruptcy. He represents businesses, banking and financial services companies, as well as individuals and acts as Special Counsel to a number of municipalities in Massachusetts. John currently serves on the Executive Committee of the Massachusetts City Solicitors and Town Counsel Association.

### ***Bar and Court Admissions***

Massachusetts Bar

United States District Court for the District of Massachusetts

### ***Memberships***

Massachusetts Bar Association

Boston Bar Association

American Bar Association

Massachusetts Collectors and Treasurers Association

City Solicitors and Town Counsel Association ("CSTCA") - Executive Board, 2011

Massachusetts Credit Union Share Insurance Corporation ("MSIC") - Board of Directors, 2011

### ***Achievements***

Named a Massachusetts Rising Star by *Boston Magazine*, 2005 thru 2010

### ***Additional Information***

- As a participant in the Massachusetts Attorney General's Office Internship Program, John served as a Complaint Mediator and Investigator in the Consumer Protection Division.
- John began his legal career as a Litigation Paralegal concentrating in such diverse areas such as Toxic Torts, Product Liability, Property Damage, Medical Malpractice, Environmental Law and Railroad Litigation.

### ***Education***

B.A., University of Massachusetts at Amherst, 1991

J.D., Suffolk University Law School, 2000

*continued...*

## ***Representative Cases***

### ***Creditors Rights in Bankruptcy***

- Represented creditor financial institutions in Chapter 7, 11 and 13 filings and Adversary Proceedings.
- Assisted construction firm in Bankruptcy Court abstention action.
- Negotiation and compilation of reaffirmation agreements.
- Represented municipality in Chapter proceeding of educational institution relative to tax assessments and delinquencies.
- Representation of various municipalities in connection with protection of rights in bankruptcy.

### ***Real Estate Disputes, Litigation & Conveyancing***

- Represented mortgagees and lien holders in foreclosure actions;
- Represented municipalities in Tax Lien Foreclosure actions in Land Court; Cluster Development disputes.
- Assisted private businesses and commercial enterprises in: assessment disputes; wrongful foreclosure of unauthorized mortgage; and tax lien foreclosure actions.
- Represented municipalities in disposition and acceptance of real property.
- Represented Estate Administrator in conjunction with sale of real property.
- Assisted municipalities in entry of private land for municipal purpose; oversight of subdivision compliance; Building Inspector Claims and Notice of Lien; acceptance of street layouts.

### ***Business Litigation***

- Successfully represented lender in conjunction with contract claims and allegations of forgery and collusion by defendant.
- Successfully represented project engineer in multiple actions stemming from fire at condominium complex.
- Represented employer in successful defense of Wage Act claim.
- Represented employer in successful defense of Sexual Discrimination claim before the MCAD.
- Assisted in representation of representation of individual credit union board members in derivative suit.
- Represented municipalities in tax collection actions in District Court.
- Assisted municipalities in recovery of multi-million dollar claims against waste management and disposal companies.
- Represented financial institutions in breach of contract cases pertaining to commercial equipment leases.
- Assisted in representation of credit union in employee discipline and separation.
- Assisted in representation of credit union in claims by and against former employees.
- Assisted security systems dealer in multi-million dollar litigation with Fortune 500 telecommunications company.
- Assisted corporate officer in employment, severance and stock option dispute.
- Assisted leading Hotel and Convention Center in conjunction with impact payment dispute.
- Assisted in representation of 50% shareholder in corporate divorce and collection of monies owed by co-owner.
- Assisted non-profit corporation against former officers for breach of fiduciary duty and conversion.
- Assisted airline in conjunction with appeal of judgment in contract dispute.

### ***Other***

- Represented credit union in matters involving the Massachusetts Commissioner of Banks.
- Represented creditor in claim against estate of guarantor.
- Represented Administrator and Probated Intestate Estate.

## ***Publications***

- "Cloud Computing: Do the Risks Outweigh the Rewards?," Massachusetts Bar Association 8th Annual In House Counsel Program, December 9, 2010
- "Keep It Legal: Is it bribery or a commission?" Medical Dealer, June 1, 2010;
- "Legal Ease: Understanding 'implied' contractual obligations," Medical Dealer, April 1, 2010;
- "Money Matters: Secrets for successful collection of receivables," Medical Dealer, March 1, 2010;
- "Reading the Fine Print: Standardized Contracts Ease Purchase Agreements," Vol. 16, No. 31 RI Image, August 4, 2003.
- Co-Author "Money Matters: Secrets for successful collection of receivables"