



ROBERT J. KERWIN

Member

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"Business disputes require result-oriented advocates. The advocate needs to have a comfort level in the Boardroom and in the Courtroom. An advocate's commitment and personal attention are the keys to excellent resolutions. When the problems are complex, the last thing you want to worry about, is whether your lawyer will give you 100%."

Rob has a wide ranging business litigation practice that includes representing corporate, municipal and financial institutions in a variety of forums, including Massachusetts state and federal courts, bankruptcy courts, administrative agencies, arbitrations and mediations.

Representative matters include:

- Substantial recoveries for Massachusetts municipalities and financial institutions
- Defeating class certification in a bankruptcy litigation matter for a financial institution
- Special counsel to municipalities in environmental litigation
- Successful defense of directors and officers in a fraud claim
- Successful representation of construction companies in bid protests and construction disputes

Prior to joining Tarlow, Breed, Hart & Rodgers, Rob was a Partner at the law firm of Hinckley, Allen & Snyder LLP. Rob was also a Senior Associate at the Boston law firm of Sullivan & Worcester, LLP.

Bar and Court Admissions

Massachusetts Bar

Texas Bar

United States District Courts for Massachusetts

United States District Courts for Northern District of Texas

United States Appeals Court for the Fifth Circuit

United States Supreme Court

Memberships

American Bar Association

Massachusetts Bar Association

Texas Bar Association

Achievements

- Elected President of the City Solicitors and Town Counsel Association, April 2007
- Named a Massachusetts Super Lawyer by *Boston Magazine* in 2004, 2005, 2006, 2007 and 2008
- Selected as a Fellow of the International Municipal Lawyers Association, 2005

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Additional Information

- Co-Chair, 2007-2008, Business Law Section Council of the Massachusetts Bar Association
- Co-Chair, 2004-2005, In-House Counsel Group, MBA Business Law Council.
- Rob currently serves on the Executive Board of the City Solicitor/Town Counsel Association of Massachusetts.
- Rob serves as general counsel to IAMERS, a medical equipment trade association.
- Rob served as President of the Friends of Brandeis Athletics for four years.

Education

B.S., Brandeis University, *cum laude*, 1978

J.D., Northeastern University School of Law, 1982

Teaching

Rob is a frequent lecturer and participant in continuing legal education programs. A partial list of programs is provided below:

- 2005 - Co-Chair 3rd Annual Conference on Compliance
- 2005 - Sarbanes-Oxley Update, In-House Counsel, Chief Executive Club
- 2005 - MBA Program on the Bankruptcy Reform Act
- 2004 - Co-Chair, Massachusetts Bar Association Bench/Bar Forum;
- 2004 - MBA Update on Sarbanes-Oxley and Corporate Governance;
- 2003 - Co-Chair, Massachusetts Bar Association Bench/Bar Forum;
- 2003 - Lecturer, MBA First In-House Counsel Conference: Hot Topics on Attorney Responsibility;
- 2002 - Co-Chair, Massachusetts Bar Association Bench/Bar Forum;
- Moderator, MCLE Obtaining and Defending Against Prejudgment Security (A View from the Bench)
- Chief Editor, U.S. Bankruptcy Court Speaks
- Contributor, Massachusetts Municipal Law Updates, 1998 - 2004

Publications/Presentations

- Massachusetts Bar Association Fourth Annual In-House Counsel Conference, "Relationship Between a Company and its Auditors", December 2006
- "E-Mail, Internet and Other Contract Problems," April 28, 2002, International Association of Medical Equipment Remarketers Ninth Annual Convention.
- "A Frank View From the Street: Healthcare Purchasers Offer Their Insights, Criticisms and Suggestions on Sale and Service of Medical Equipment," March 28, 2001, Moderator at the Mirage Hotel, International Association of Medical Equipment Remarketers, Eighth Annual Convention.
- "Traps for Unwary IAMERS Members Doing Business in the E-Commerce Jungle," May 2, 2000, International Association of Medical Equipment Remarketers, Seventh Annual Convention.

IAMERS Articles

- "Top Ten Contract Mistakes of 2004" January 10, 2005
- "UCC: What is the Custom in the Industry and Why Should You Care?" February 7, 2005
- "Should You Have Liquidated Damages in Your Contract?" March 7, 2005
- "How to Draft the Perfect Medical Equipment Contract" April 8, 2005